

Washington, Thursday, September 4, 1958

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter D—Regulations Under Soil Bank Act [Amdt. 20]

PART 485-SOIL BANK

SUBPART—CONSERVATION RESERVE PROGRAM

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture pursuant to the Soil Bank Act (70 Stat. 188) the regulations for the conservation reserve program issued August 16, 1956 (21 F. R. 6289), as amended, are hereby amended as follows:

1. Section 485.156 (d) (1) is amended by striking out in the second sentence the word "and" preceding subdivision (iv) and changing the period at the end of the sentence to a comma and adding the following: "and (v) to permit the producer to reduce the land in the conservation reserve at the regular rate in the case of a contract for which the first year of the contract period is 1956 or 1957 by not more than the amount of the acreage covered by the 1958 acreage reserve agreement(s) which is in excess of the Soil Bank base acreage minus the acreage in the conservation reserve at the regular rate."

2. Section 485.156 (d) (1) is amended by adding a new sentence prior to the last sentence thereof to read as follows: "In case of a modification under subdivision (v) of this subparagraph, costshare payments paid or payable on land removed from the conservation reserve shall be forfeited or refunded."

3. Section 485.157 (b) (1) is amended by changing the period at the end of the first sentence to a colon and adding the following proviso: "Provided further, That with the approval of the county committee land in the conservation reserve may be devoted to fire lanes or fire breaks where these are determined to be necessary for the protection of the conservation reserve or the farm or ranch buildings."

4. Section 485.157 (b) (1) is amended further by changing the period at the

end of the paragraph to a comma and adding the following: "except that destruction of the vegetative cover during the contract period for the purpose of planting during the last six months of the period orchard trees, nut trees or nursery stock, or a crop normally seeded during such period for harvest in a later year or destruction of the vegetative cover with the approval of the county committee for the purpose of establishing a fire lane or fire break, or changing to another approved conservation practice authorized by the county committee shall not be considered a violation of the contract."

5. Section 485.158 (a) (2) is amended by changing the second sentence to read as follows: "A soil bank base shall be established by the county committee for each farm on which land is placed in the conservation reserve except that where all the eligible land on the farm is placed in the conservation reserve for the same contract period and there is no other cropland on such farm, a soil bank base need not be established since the number of acres permitted to be devoted to soil bank base crops will be zero as long as the contract period remains the same for all the eligible land on such farm."

6. Section 485.158 (b) is amended by striking out in the last sentence "or a subsequent year" and by adding at the end thereof a new sentence to read as follows: "Notwithstanding any other provisions of this paragraph, beginning with contracts which include land for which the first year of the contract period is 1959 or a subsequent year, on any farm on which an acreage equal to the soil bank base is placed in the conservation reserve, any other eligible land may be placed in the conservation reserve at the non-diversion rate."

7. Section 485.162 (a) is amended by adding at the end thereof the following: "For practices A-2, A-4, A-7, A-8, B-7, C-14, D-1, and D-2, or components thereof approved for land for which 1959 or a subsequent year is the first year of the contract period the rates of cost-sharing at time of approval shall not exceed the applicable agricultural conservation program rates of cost-sharing for these practices or components thereof which are in effect, or which would be in

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effect if the practices were offered under the agricultural conservation program in the county or area."

- 8. Section 485.162 (b) is amended to read as follows:
- (b) Maximum cost-share limitations for practices. (1) The cost-share for a water storage facility, except a water storage facility constructed under practice B-7 or practice C-14 approved for use on land for which 1959 or a subsequent year is the first year of the contract period, shall not exceed the sum of (i) 80 per centum of that part of the cost of constructing the water storage facility which is not in excess of \$625. (ii) 40 per centum of that part of the cost of constructing the water storage facility which is in excess of \$625 but not in excess of \$1,000, and (iii) 20 per centum of that part of the cost of constructing the water storage facility which is in excess of \$1,000.
- (2) Where the area covered by the water impounded by a water storage facility is not wholly within the conservation reserve on a farm, the cost-share for such water storage facility practice shall be limited to a percentage of the cost-share as computed under subparagraph (1) of this paragraph which is equal to the percentage which the area located on the conservation reserve covered by the impounded water is of the total area covered by the impounded water.
- (3) In no case shall the cost-share for a water storage facility exceed \$1,500.
- (4) With respect to water storage facility practices approved on and after the date authorized as the beginning date for approving contracts starting with 1958, the total cost-share for all conservation reserve water storage facilities constructed on a farm including those previously approved shall not exceed the larger of \$1,500 or \$40 times the acreage in the conservation reserve on such farm.
- (5) The cost-shares for practices A-2, A-4, A-7, A-8, B-7, C-14, D-1, and D-2 approved for use on land for which 1959 or a subsequent year is the first year of

the contract period shall not exceed the applicable agricultural conservation program maximum cost-share limitations for these practices which are in effect, or which would be in effect if the practices were offered under the agricultural conservation program, in the county or area.

- (6) The maximum cost-share for practice G-1 shall not exceed an amount determined by multiplying the number of acres devoted to the practice by the maximum amount per acre which would be approved for practice A-2, A-7, A-8, D-1, or D-2, whichever is the highest, if carried out on the same acreage. Where annual seedings or other measures are required to be performed under practice G-1, the total of all such payments on an acreage cannot exceed the maximum amount per acre which would be approved in carrying out practice A-2, A-7, D-1, or D-2, whichever is the highest, once on the same acreage.
- (7) With respect to practices approved on and after the date authorized as the beginning date for approving contracts starting with 1958, the State committee shall establish a maximum costshare limitation per acre for practices, other than those involving the construction of water storage facilities, in accordance with instructions issued by the Administrator, CSS.
- (8) With respect to contracts entered into after September 6, 1957, no cost-share payment will be made for conservation practices carried out on land other than that for which an annual payment is payable.
- 9. A new § 485.185 is added immediately following § 485.184 to read as follows:

§ 485.185 Awarding conservation reserve contracts in 1959 and subsequent years. (a) No conservation reserve contract for which 1959 or a subsequent year is the first year of the contract period will be entered into unless the owner or operator of the farm has furnished the office of the county committee of the county in which the farm is located the following information on a form prescribed by the Administrator:

(1) The producer's estimated per acre value for agricultural purposes of the average eligible land on the farm; or

- (2) If only a part of the eligible acres on the farm is to be placed in the conservation reserve, the producer's estimated per acre value for agricultural purposes of the part to be placed in the conservation reserve; and
- (3) The acreage and yield of each of the 3 principal crops harvested on the farm during the 2 years preceding the first year of the contract period and the use made of the balance of the eligible land on the farm in the same period if the 3 principal harvested crops do not account for the use of the major part of the eligible land on the farm.

The value of the land for agricultural purposes as used herein shall be the value of the land for such purposes without regard to physical improvements thereon or location thereof.

(b) The county committee will establish two maximum annual per acre payment rates for each farm for which the

information referred to in paragraph (a) of this section has been furnished to the county office. One maximum annual per acre payment rate will be the smallest of (1) the farm productivity index times 110 percent of the county payment rate, (2) 20 percent of the value for agricultural purposes of the eligible acreage on such farm as determined by the county committee (3) 20 percent of the value for agricultural purposes of such land as estimated by the applicant, (4) 150 percent of the county payment rate or (5) \$25.00. This rate will be the maximum rate applicable where all the eligible land on the farm not covered by an existing conservation reserve contract, except land devoted to a home garden, and land approved by the county committee as needed for livestock lanes and/or farm roads is to be placed in the conservation reserve for at least a 5-year period and will be considered the maximum regular annual rate of payment in connection with such land. The second maximum annual per acre payment rate will be the first maximum rate divided by 110 percent. The second maximum annual per acre payment rate will be the maximum rate applicable where all the eligible land in a farm not covered by an existing conservation reserve contract, except land devoted to home gardens and land approved by the county committee as needed for livestock lanes and/or farm roads, is to be placed in the conservation reserve for less than a 5-year period and will be considered the maximum regular payment rate for such land. The second maximum annual per acre payment rate will also be the maximum regular payment rate applicable to the land placed in the conservation reserve at the regular payment rate where only a part of the eligible acres in a farm is placed in the conservation reserve and the productivity of such land is at least equal to that of the average eligible land in such farm. If the productivity of the land offered is significantly less than the productivity of the average of all eligible land on the farm the maximum annual rate for such land will be reduced by the percentage by which the productivity of the land offered is less than the productivity of the average of all eligible land on the farm. In establishing the maximum rates of payment for a farm the county committee shall take into consideration the information submitted by the producer as required in paragraph (a) of this section. The value for agricultural purposes of land shall be determined without regard to the physical improvements thereon or the location thereof. The productivity index for a farm will be the county committee's determination of the relative productivity of such farm as compared to the productivity of the average farm in the county.

(c) Contracts will be awarded to eligible producers who (1) file the information referred to in paragraph (a) of this section at the county office on the prescribed form not later than a date established by the State committee and (2) file an acceptable application at the county office on the prescribed form not later than a date established by the

State committee. The date established for filing the application referred to in this paragraph shall not be later than the fourth Friday in October of the year prior to the first year of the requested contract period. The date established for filing the information referred to in paragraph (a) of this section shall not be later than two weeks before the date established for filing the applications referred to in this section. If funds are available, a second sign-up period may be authorized by the State committee in which case contracts will be awarded in connection with the second sign-up period to eligible producers who file the information referred to in paragraph (a) of this section at the county office on the prescribed form not later than a date established by the State committee and file an acceptable application at the county office on the prescribed form not later than a date established by the State committee. The date established in connection with the second sign-up period for filing the applications referred to in this section shall not be later than the fourth Friday in February of the first year of the contract period requested. The date established in connection with the second sign-up period for filing the information referred to in paragraph (a) of this section shall not be later than two weeks before the date established for filing applications in connection with the second sign-up period. To be acceptable an application for a contract must show the acreage offered, the proposed conservation uses to which such acreage will be devoted and the annual rate of payment at which such acreage is offered.

(d) No contract shall be entered into at a rate higher than the applicable maximum rate of payment established for the land offered. If sufficient funds are not available to award contracts to all applicants, applications will be considered in the following order of priority:

- (1) Applications offering the balance of the eligible land on a farm where a part of the eligible land is already in the conservation reserve under an existing contract and the balance being offered was designated as acreage reserve under a 1958 acreage reserve agreement and the farm was in compliance in 1958 with both the conservation reserve contract and all acreage reserve agreements applicable to the farm.
- (2) Applications offering land at the lowest percentage of the maximum annual payment rate established for such land
- (3) In case there is more than one application offering land at the same percentage of the applicable maximum annual per acre payment rate, priority will be given to the applications offering land at the lowest regular annual payment rate.
- (4) In case there is more than one application offering land at the same percentage of the applicable maximum annual per acre payment rate and at the same regular annual payment rate, priority will be given to the applications offering land which comprises all the eligible acreage on the farm.
- (5) In case there is more than one application offering land at the same

percentage of the applicable maximum annual per acre payment rate and the same regular annual payment rate, and such applications all offer land which comprises all the eligible acreage on the farm, priority shall be given to the applications offering land for the longest contract period.

(6) If, after applying the foregoing rules, priority has not been established for all applications, the county committee shall establish priority among the remaining applications by public drawing, by lot, of the names of the applicants. Notice of the drawing shall be given to all interested applicants.

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812. Interpret and apply secs. 107-113, 70 Stat. 191-195, 72 Stat. 194; 7 U. S. C. 1831-1837)

Done at Washington, D. C., this 29th day of August 1958.

[SEAL]

TRUE D. Morse, Acting Secretary.

[F. R. Doc. 58-7142; Filed, Sept. 3, 1958; 8:55 a. m.]

[Amdt, 13]

PART 485-SOIL BANK

SUBPART-ACREAGE RESERVE PROGRAM

FARM SOIL BANK BASE

The regulations governing the 1958 acreage reserve program, 22 F. R. 6397, as amended and supplemented, are hereby further amended by deleting the period at the end of § 485.313 (h) (3) (ii) and adding thereto the following: "or if the county committee determines that the crop has in fact been used as a nurse crop or cover crop, has not been harvested, and has been disposed of by the producer in such manner, or is in such condition, that no part of the crop can be harvested."

(Sec. 124, 70 Stat. 198; 7 U.S. C. 1812)

Issued at Washington, D. C., this 29th day of August, 1958.

[SEAL]

True D. Morse, Acting Secretary.

[F. R. Doc. 58-7143; Filed, Sept. 3, 1958; 8:55 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter F.—Determination of Normal Yields and Eligibility for Abandonment and Crop Deficiency Payments

[Sugar Determination 842.2, Amdt. 1]

PART 842-BEET SUGAR AREA

1958 AND SUBSEQUENT CROPS

Pursuant to the provisions of section 303 of the Sugar Act of 1948, as amended, subparagraph (6) of paragraph (a) of § 842.2, as issued April 23, 1957 (22 F. R. 2994) is revised to read as follows:

(6) The farm was located in a county or a local producing area in which the ASC County Committee determines for

the applicable crop year that due to drought, flood, storm, disease, freeze, or insects, the actual yields of commercially recoverable sugar from the acreages planted to a crop of sugar beets on farms in such county or local producing area were below 80 percent of the applicable normal yields either for 10 percent or more or the number of such farms, or for those farms on which were planted 10 percent or more of the total acres of sugar beets planted on all farms in such county or local producing area. A farm shall be regarded as located in the State. county and local producing area in which the farm headquarters is situated, or if there is no farm headquarters, the farm shall be regarded as located in the State, county and local producing area in which the major portion of land in the farm suitable for the production of sugar beets is situated. For the purpose of this section, a local producing area shall mean a township, as established by Federal survey, in all States in the domestic beet sugar area except Texas and Utah. In Texas and Utah, a local producing area shall mean an ASC community with boundaries as fixed by the ASC State Committee at the time of issuance of this determination and as shown on maps available for inspection in the respective ASC county offices; and

This amendment shall be applicable to the 1958 and subsequent crops.

STATEMENT OF BASES AND CONSIDERATIONS

This amendment changes the language of the original determination relating to the establishment of the location of farms by States, counties and local producing areas. This matter is significant in the determination of performance, the establishment of proportionate shares and the consideration of eligibility for abandonment and crop deficiency payments and prevented acreage credits. The former language referred to the principal dwelling on the farm and the major portion of the land in the farm.

In a number of States, sugar beet production is a specialized business in which many farms comprise rented tracts of land devoid of dwellings. Also, many farms comprise land which is devoted regularly to sugar beet production, and also include large areas unsuited to the crop such as dry land adjacent to an irrigated area. 'Therefore, the substitution of "headquarters" and "land suitable for sugar beet production" for "principal dwelling" and "land in the farm" will provide better standards for use in this connection.

Accordingly, I hereby find and conclude that the aforestated amendment will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 303, 61 Stat. 930; 7 U. S. C. 1133)

Issued this 29th day of August 1958.

[SEAL]

True D. Morse, Acting Secretary.

[F. R. Doc. 58-7146; Filed, Sept. 3, 1958; 8:56 a.m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6994]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

WILLIAMSBURG ELECTRIC, INC. ET AL.

Subpart-Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Connections or arrangements with others; identity; § 13.95 Identity of product; § 13.130 Manufacture or preparation. Subpart-Furnishing means and instrumentalities misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception. Subpart—Misrepresenting one-self and goods—Business status, advantages or connections: § 13.1395 Connections and arrangements with others; § 13.1440 Identity; [Misrepresenting oneself and goods]—Goods: § 13.1655 Identity; § 13.1680 Manufacture or preparation.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Williamsburg Electric, Inc., et al., Willow Run, Mich., Docket 6994, July 26, 1958]

In the Matter of Williamsburg Electric, Inc., a Corporation, Fred H. Hogan and John E. Judycki, Individually and as Officers of Said Corporation, and Milton A. Hogan, Individually

This proceeding was heard by a hearing examiner on the complaint of the Commission charging manufacturers of electric trivets in Willow Run, Mich., with representing falsely on stuffers, counter cards, etc., distributed to resellers and in advertisements in newspapers of national circulation-simulating therein the script of Colonial Williamsburg, Incorporated, and depicting buildings and scenes of Williamsburg, Va., and the colonial era—that they were affiliated with Colonial Williamsburg, Incorporated, and Williamsburg Restoration, Incorporated; and that their trivets were authentic reproductions of originals displayed in Williamsburg, Va., and of the American colonial period, and were of wrought iron construction.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on July 26 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Williamsburg Electric. Inc., a corporation, and its officers, and Fred H. Hogan and John E. Judycki, individually and as officers of said corporation, and Milton A. Hogan, individually, and respondents' agents, representatives and employees, directly or through any corporate or other device, and in connection with the offering for sale, sale or distribution of trivets and other products of Early American Design, in commerce, as "commerce" is defined in the Federal Trade

Commission Act, do forthwith cease and desist from:

1. Using the word "Williamsburg" as a part of a corporate or trade name unless in direct connection therewith it is clearly disclosed that respondent Williamsburg Electric, Inc., has no connection with Williamsburg Restoration, Incorporated.

2. Using any word, term, statement, definition or simulation in any manner, the effect of which tends or may tend to convey the belief or impression, directly or indirectly, that respondents, or any of them, are affiliated or connected with, or are a representative, subsidiary or licensee of Williamsburg Restoration, Incorporated.

It is further ordered, That respondents Williamsburg Electric, Inc., a corporation, and its officers, and Fred H. Hogan and John E. Judycki, individually and as officers of said corporation, and Milton A. Hogan, individually, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of any product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly:

1. That any product is an authentic reproduction of the original on display in the exhibition buildings in Williamsburg, Virginia, unless such is the fact.

2. That any product is an authentic representation of the American Colonial Period, unless such is the fact.

3. That any product is of wrought iron construction, unless such is the fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 25, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F. R. Doc. 58-7109; Filed, Sept. 3, 1958; 8:48 a. m.]

[Docket 7034]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

JACK J. BERLINER ET AL.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Individual or private business as educational, religious or research institution; personnel or staff; qualifications and abilities. Subpart—Using misleading name—Vendor: § 13.2410 Individual or private business being educational, religious or research institution or organization.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Jack J.

Berliner et al. doing business as J. J. Berliner & Staff, etc., New York, N. Y., Docket 7034, July 26, 1958]

In the Matter of Jack J. Berliner and Sara Berliner Doing Business as J. J. Berliner & Staff and as the American Research Society for Better Management

This proceeding was heard by a hearing examiner on the complaint of the Commission charging operators of a New York City clipping service with representing falsely through use of their trade name and in advertising matter circulated to prospects that they were a society engaged in research, were experts in all management problems, and maintained an extensive research staff, supplying the latest information, domestic and foreign, in the fields of management, engineering, and chemistry; and that they authenticated all information they distributed.

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on July 26 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Jack J. Berliner and Sara Berliner, individually and doing business as the American Research Society for Better Management, or under any other name, their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their publications or printed matter, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using a trade, business or corporate name, that respondents, or either of search" or "society," or representing, directly or by implication, through the use of any trade, business or corporate name, that respondents, or either of them, engage in research or operate or maintain a society of any nature;

2. Using a trade, business or corporate name which includes the word "management", or representing in any maner, directly or by implication, through the use of any trade, business or corporate name, that respondents, or either of them, are experts in management problems or are qualified as management consultants.

It is further ordered, That respondents Jack J. Berliner and Sara Berliner, individually and doing business as J. J. Berliner & Staff, or under any other name, their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their publications or printed matter, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication:

(a) That they are engaged in any research other than the reading, indexing, selecting, editing and compiling of previously published articles or other works;

(b) That the information which they distribute contains the latest information, either domestic or foreign, unless such is the fact, in the fields of management, engineering or chemistry; or

(c) That they authenticate any the information distributed by them.

2. Offering for sale, selling or distributing publications or printed matter previously published by others without clear and conspicuous disclosure of such fact in advertising and on the publications and printed matter themselves.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered. That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 25, 1958.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F. R. Doc. 58-7110; Filed, Sept. 3, 1958; 8:48 a. m.1

[Docket 7045]

PART 13-DIGEST OF CEASE AND DESIST ORDERS

CRAFTEX COMFORT PRODUCTS, INC. ET AL.

Subpart-Invoicing products falsely: § 13.1108 Invoicing products falsely: Wool Products Labeling Act. Subpart-Misbranding or mislabeling: § 13.1190 Composition: Wool Products Labeling Composition: Wool Products Labeling Act; § 13.1212 Formal regulatory and statutory requirements: Wool Products Labeling Act; § 13.1235 Indorsements, approval, or awards; § 13.1230 Price. Subpart—Misrepresenting oneself and § 13.1810 Fictitious goods—Prices: marking. Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 63-63 (c)) [Cease and desist order, Crafter Comfort Products, Inc., Brooklyn, N. Y., Docket 7045, July 30, 1958]

In the Matter of Craftex Comfort Products, Inc., Purofied Down Products Corporation, Corporations, and Samuel Puro and Louis Puro, Individually and as Officers of Said Corporations

This proceeding was heard by a hearing examiner on the complaint of the Commission charging manufacturers in Brooklyn, N. Y., with violating the Wool Products Labeling Act by labeling as "Reprocessed All Wool" bed comforters which contained substantial amounts of fibers other than wool and by printing the word "reprocessed" in smaller and less conspicuous letters than the other words, and by failing to comply in other respects with the labeling requirements of the Act; and with violating the Federal Trade Commission Act by imprinting on the plastic covers of the bed comforters a fictitious price greatly in excess of the usual retail price and unauthorized facsimiles of "seals of approval" of Good Housekeeping and the American Medical Association; and by invoicing the bed comforters falsely as "wool".

After acceptance of an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on July 30 the decision of the Commission.

 The order to cease and desist is as follows:

It is ordered, That respondents Craftex Comfort Products, Inc., and Purofied Down Products Corporation, corporations, and their respective officers and respondents Samuel Puro and Louis Puro, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of wool bed comforters or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool", "re-processed wool" or "reused wool", as those terms are defined in said Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers con-

tained therein.

2. Minimizing or rendering inconspicuous the information required under the Wool Products Labeling Act on the stamp, tag, label or other mark of identification by the use of small type or by failing to use letters of equal size and conspicuousness.

3. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fibre is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product, of any non-fibrous loading, filling, or adulterating matter:

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That Craftex Comfort Products, Inc., and Purofied Down Products Corporation, corporations, and their respective officers and respondents Samuel Puro and Louis Puro, individually and as officers of said corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of wool bed comforters or any other products or materials in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from directly or indirectly:

1. Representing in any manner, that any amount is the retail value of an article of merchandise when it is in excess of the price at which said merchandise is usually and regularly sold at retail in the trade territory in which it is

offered for sale.

2. Using the seals of either Good Housekeeping magazine or Today's Health magazine in connection with any product, or representing, in any manner, that a product has been approved by either of said magazines, or by any other magazine, unless such product has been approved for advertising in said magazines and the use of the seal has been duly authorized.

3. Misrepresenting the constituent fibers of which their products are composed, or the percentages or amounts thereof, in sales invoices, or in any other

manner.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: July 30, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F. R. Doc. 58-7111; Filed, Sept. 3, 1958; 8:48 a.m.]

[Docket 7107]

-Part 13—Digest of Cease and Desist **ORDERS**

FELDMAN & LOWE, INC. ET AL.

Subpart-Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur Products Labeling Act. Subpart-Misbranding or mislabeling: § 13.1212 Formal regulatory and statutory requirements: Fur Products Labeling Act. Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: Fur Products Labeling Act: § 13.1865 Manufacture or preparation: Fur Products Labeling Act. .

(Sec. 6, 38 Stat. 721; 15 U.S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S. C. 45, 69f) [Cease and desist order, Feldman & Lowe, Inc., et al., New York, N. Y., Docket 7107, August 2, 1953]

In the Matter of Feldman & Lowe, Inc., a Corporation, Max Feldman and Joseph Lowe, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in New York City with violating the Fur Products Labeling Act by failing to reveal on labels and invoices that the fur in certain products was dyed, and to comply in other respects with the labeling requirements of the act.

Following acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 2 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Feldman & Lowe, Inc., a corporation, and its officers, and Max Feldman and Joseph Lowe, individually and as officers of said corporation, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of any fur product, or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution of any fur product which has been made in whole or in part of fur which has been shipped and received in com-merce, as "commerce," "fur," and "fur products" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively labeling fur products by failing to reveal that such fur products are in fact bleached, dyed, or otherwise artificially colored.

B. Misbranding fur products by failing to affix labels to such fur products

showing:

- (a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regula-
- (b) That the fur product contains or is composed of used fur, when such is a fact:
- (c) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is a fact;
- (d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is a fact:
- (e) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;
- (f) The name of the country of origin of any imported furs used in the fur product;

C. Falsely or deceptively invoicing fur products by failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the rules and regula-

(b) That the fur product contains or is composed of used fur, when such is a fact:

(c) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is a fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is a fact:

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in a fur product;

D. Falsely or deceptively invoicing fur products as being made of "Natural" furs when they are in fact bleached, dyed, or otherwise artificially colored.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered. That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 1, 1958.

By the Commission.

ROBERT M. PARRISH. [SEAL] Secretary.

[F. R. Doc. 58-7112; Filed, Sept. 3, 1958; 8:48 a. m.]

[Docket 7133]

PART 13-DIGEST OF CEASE AND DESIST **ORDERS**

MEYER'S FURRIERS, INC. AND MEYER EPSTEIN

Subpart-Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1212 Formal regulatory and statutory requirements: Fur Products Labeling Act. Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; Sec. 8, 65 Stat. 179; 15 U.S C. 45, 69f) [Cease and desist order, Meyer's Furriers, Inc., et al., Binghamton, N. Y., Docket 7133, August 5,

In the Matter of Meyer's Furriers, Inc., a Corporation, and Meyer Epstein, Individually and as President of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in Binghamton, N. Y., with violating the Fur

Products Labeling Act by naming on invoices an animal other than that which produced a particular fur, and by failing in other respects to comply with the labeling and invoicing requirements of the Act.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 5 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered. That respondents, Meyer's Furriers, Inc., a corporation, and its officers, and Meyer Epstein, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or manufacture for introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transporation or distribution in commerce of fur products, or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or dis-tribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regula-

(b) That the fur product contains or is composed of used fur, when such is the fact:

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed, in whole or in substantial part, of paws, tails, bellies, or waste fur, when such is the fact:

- (e) The name or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;
- (f) The name of the country of origin of any imported furs used in the fur product:
- (g) The item number or mark assigned to a fur product.
- 2. Setting forth on labels attached to fur products:
- (a) Information required under section 4 (2) of the Fur Products Labeling Act and the rules and regulations thereunder in abbreviated form.
- (b) Information required under section 4 (2) of the Fur Products Labeling Act and the rules and regulations there-

under mingled with non-required information.

(c) Information required under section 4 (2) of the Fur Products Labeling Act and the rules and regulations thereunder in handwriting.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed, or otherwise artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact:

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported fur contained in a fur

to a fur product.

2. Setting forth on invoices the name or names of any animal or animals other than the name or names provided for in Paragraph B (1) (a) above.

3. Abbreviating on invoices information required under section 5 (b) (1) of the Fur Products Labeling Act and the rules and regulations thereunder.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 5, 1958.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F. R. Doc. 58-7113; Filed, Sept. 3, 1958; 8:49 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 603-INSTRUCTIONS TO STATE AGEN-CIES FOR PREPARATION AND SUBMITTAL OF STATE PLAN OF OPERATION UNDER THE Wagner-Peyser Act

Pursuant to section 12 of the Wagner-Peyser Act (48 Stat. 117, as amended, 29 U. S. C. 49k), Reorganization Plan No. 2 of 1949 (14 F. R. 5225; 63 Stat. 1065, 5 U.S.C. 133z-15), and by delegation from the Secretary of Labor, 20 CFR Part 603 is hereby revised to read as follows:

603.1 Letter of transmittal.

Sec.

Sec. 603.2 Legal material.

Action taken to carry out United 603.3 States employment service regulations.

Policies and operating instructions. 603.5 Employment service budget.

AUTHORITY: §§ 603.1 to 603.5 issued under sec. 12, 48 Stat. 117, as amended; 29 U.S.C. 49k. Interpret or apply 48 Stat. 113, as amended, 58 Stat. 293, as amended; 29 U. S. C. 49-491, 38 U. S. C. 695-695f.

§ 603.1 Letter of transmittal. All materials submitted to the Bureau by the State agency as part of its plan of operation-whether in the form of an original submittal or an amendment-should be accompanied by a letter of transmittal, prepared in accordance with the following provisions:

(a) Request for approval. The letter of transmittal should state that the accompanying statements and attachments are submitted as a plan of operation (or as amendments to a plan of operation) pursuant to the provisions of the Wagner-Peyser Act, as amended. The Director of the Bureau of Employment Security should be requested to approve the plan (or the amendments) as submitted.

(b) List of documents. The letter of transmittal should list each section of (g) The item number or mark assigned ment being submitted thereunder. the plan being transmitted and the docu-

(c) Submittal of the plan and amendments. (1) The original should state that the plan is submitted as a continuing plan; should designate the effective date; and should certify that the plan will be kept current by the submittal for incorporation in the plan of necessary amendatory materials.

(2) A similar letter of transmittal should accompany each amendment to the plan. The letter should request that the proposed amendments be incorporated in the plan, and should, if they are to be substituted for other provisions previously submitted and accepted, request that the substitution be made.

(d) Signature. The letter of transmittal should bear the signature and title of the State official or officials authorized under the State law to submit the plan of operation. If the State agency is a commission or other body, rather than a single official, the original letter of transmittal should be accompanied by a certified copy of the minutes of the commission or other body approving the plan and authorizing the signing official to submit the plan on behalf of the State agency.

§ 603.2 Legal material. Any newly adopted legal material and any rescission or amendment of legal material previously incorporated in the plan should be submitted currently for approval as a part of the plan. Each new item of legal material should be accompanied by a statement identifying the previously incorporated legal material-including the page and section of the plan where it occurs-which the new legal material amends or renders obsolete.

(a) Opinion of State Attorney General. The legal material must include an opinion of the State Attorney General or other appropriate State official stating that the State statutes authorize the State agency to submit the plan and

administer the State Employment Service, in accordance with the Act of June 6, 1933 (48 Stat. 133), as amended, and Title IV of the Servicemen's Readjustment Act of 1944 as amended.

(b) Legislative and executive promulgations. Legislative and executive promulgations submitted as a part of the plan should include constitutional and statutory provisions, proclamations, executive orders, rules and regulations, and any other materials which constitute or determine the legal basis for the plan. or any materials having the force or effect of law and affecting in any respect the operation of the State Employment Service (other than those affecting only fiscal management or personnel administration). This material must include the State statute accepting the Wagner-Peyser Act and creating the State agency to administer the Statewide system of public employment offices in cooperation with the United States Employment Sérvice. The material should also include legislation creating the department or agency of State government in which the State public employment office system is located. Organization and enabling laws to be submitted under this section of the plan include constitutional, statutory, and administrative legal materials relating to the establishment of the State agency and its program, accepting the provisions of the Wagner-Peyser Act. defining the relationships between the State agency and the department or other agency of State government in which it is located, and constituting the legal authority for the material required under all provisions of the plan.

(c) Court decisions and legal opinions. When any court decisions or legal opinions are rendered affecting any part of the plan or the operation of the State Employment Service, they should be submitted promptly. Opinions of appropriate State officials will be requested. for incorporation in the plan, when the intent of a statute or constitutional provision is not clear or if there is any question as to the authority of an agency to issue a rule or regulation or take any other action provided for in the plan.

§ 603.3 Action taken to carry out United States Employment Service regulations. Submit a statement that the State agency will comply with and carry out the regulation prescribed by the Secretary of Labor under the Wagner-Peyser Act and entitled "Cooperation of the United States Employment Service and States in Establishing and Maintaining a National System of Public Employment Offices."

§ 603.4 Policies and operating instructions. (a) Submit a statement that the State agency will adhere to the basic standards set forth as United States Employment Service policies and policies of the Secretary of Labor in the Employment Security Manual, and will maintain an organization and procedures necessary to carry out effectively such policies. The statement should indicate one of two types of action by the State agency to make such policies and procedures effective:

- (1) The adoption of the Manual as issued by the Bureau of Employment Security as the vehicle for issuing instructions on employment service matters to local offices; or
- (2) The issuance of instructions on employment service matters to local offices through a State agency manual or bulletin series.
- (b) These policies shall not be repeated in the plan of operation for each State agency but shall be incorporated therein by reference.
- § 603.5 Employment service budget. Submit a statement that, upon final approval by the Director of the Bureau of Employment Security, each budget request involving expenditures for employment service purposes and any change or adjustment in such a budget is to be incorporated as a part of the State plan of operation.

This revision of Part 603 relieves State agencies of the requirements for submittal of documents formerly contained in §§ 603.3, 603.6. 603.6a, 603.7, 603.9, and 603.10, and simplifies the requirements for submittal of documents formerly contained in § 603.5.

The revision shall become effective immediately upon publication in the FEDERAL REGISTER since this rule-making relates to public grants, and is, therefore, within the exception with respect to such grants contained in section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003).

Signed at Washington, D. C., this 28th day of August 1953.

> E. L. KEENAN, Acting Director, Bureau of Employment Security.

[F. R. Doc. 58-7125; Filed, Sept. 3, 1958;

TITLE 22—FOREIGN RELATIONS

8:51 a. m.]

Chapter II—International Cooperation Administration, Department State

PART 202—OCEAN SHIPMENTS OF SUPPLIES BY VOLUNTARY NONPROFIT RELIEF

MISCELLANEOUS AMENDMENTS

ICA Regulation 2 is amended as follows:

1. The authority citation to Part 202 (22 F. R. 8468) is amended to read as follows:

AUTHORITY: §§ 202.1 to 202.6 issued under sec. 521, 68 Stat. 855, as amended; 22 U.S. C. 1781. Interpret or apply sec. 203, 68 Stat. 485, as amended, secs. 409, 525, 68 Stat. 845, as amended, 856, as amended; 7 U.S.C. 1723, 22 U. S. C. 1929, 1785, E. O. 10575, 19 F. R. 7249, 3 CFR, 1954 Supp., E. O. 10610, 20 F. R. 3179, 3 CFR, 1955 Supp.

- 2. Section 202.3 (a) is amended to read as follows:
- (a) An agreement for duty-free entry and defrayment of inland transportation costs of supplies within the scope of the regulations in this part has been concluded between the United States and the recipient country or the agency con-

cerned has submitted evidence satisfactory to the Committee that the recipient country in fact accords duty-free entry and that the inland transportation costs of the supplies are defrayed by the recipient country or other non-U. S. Government source acceptable to the Committee.

Dated: August 22, 1958.

J. H. SMITH, Jr., Director, International Cooperation Administration.

[F. R. Doc. 58-7096; Filed, Sept. 3, 1958; 8:45 a. m.]

TITLE 26-INTERNAL REVENUE, 1954

Department of the Treasury

Subchapter E-Alcohol, Tobacco, and Other **Excise Taxes**

IT. D. 63071

PART 170-MISCELLANEOUS REGULATIONS RELATING TO LIQUOR

EXTENSION OF BONDING PERIOD FOR DIS-TILLED SPIRITS AND MINGLING OF DIS-TILLED SPIRITS

The purpose of this Treasury decision is to provide regulations implementing sections 206 (a), (b), (c), and (f), and 210 (a) (2) of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress).

Paragraph 1. Section 206 (a), (b), (c), and (f) of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress) reads as follows:

SEC. 206. Extension of bonding period. (a) Section 5006 (a) (2) is amended to read as follows:

- "(2) Distilled spirits deposited in internal revenue bonded warehouses. The tax on distilled spirits entered for deposit in internal revenue bonded warehouses shall be determined at the time the same are withdrawn therefrom and within 8 or 20 years from the date of original entry for deposit therein, whichever may be required by the bond covering such spirits (except that distilled spirits which on July 26, 1936, were 8 years of age or older and which were in bonded warehouses on that date, may remain therein)."
- (b) Section 5232 (a) is amended to read as follows:
- "(a) General. The Secretary or his delegate shall, by regulations, prescribe the form and penal sums of bonds covering distilled spirits in internal revenue bonded warehouses and in transit to and between such warehouses: Provided, That the penal sums of such bonds covering distilled spirits shall not exceed in the aggregate \$200,000 for each such warehouse. Such bonds shall be conditioned (1) on the withdrawal of the spirits from the internal revenue bonded warehouse within 20 years (or, in the discretion of the person or persons furnishing any bond, within 8 years) from the date of original entry for deposit; (2) on payment of the tax on the spirits as determined on withdrawal from the internal revenue bonded warehouse; and (3) on compliance with all provisions of law and regulations relating to the business of warehousing distilled spirits."
- (c) The last sentence of section 5243 (b) (relating to bottling requirements of certain

distilled spirits known commercially as gin) is amended by striking out "at any time within 8 years after entry in bond"

(f) (1) The amendments made by this section shall apply with respect to-

- (A) distilled spirits which on the date of the enactment of this Act are in internal revenue bonded warehouses or are in transit to or between such warehouses, and in respect of which the 8-year bonding period has not expired before the date of enactment of this Act; and
- (B) distilled spirits which after the date of the enactment of this Act are entered for deposit in an internal revenue bonded warehouse.
- (2) If the 8 years from the date of original entry of any distilled spirits for deposit in internal revenue bonded warehouses expires at any time during the 10-day period which begins on the date of the enactment of this Act, the amendments made by this section shall apply with respect to such spirits if Chapter I—Internal Revenue Service, (and only if) before the close of such 10-day period there is filed with the Secretary of the Treasury or his delegate either
 - (A) a consent of surety which changes (for periods on and after the date of the enactment of this Act) the condition based on the withdrawal of spirits from the internal revenue bonded warehouse within 8 years from the date of original entry for deposit to a condition based on the withdrawal of spirits from the internal revenue bonded warehouse within 20 years from the date of original entry for deposit, or
 - (B) ε bond which applies to periods on and after the date of the enactment of this Act and which satisfies the requirements of the Internal Revenue Code of 1954, as amended by this section, and is conditioned on the withdrawal of spirits from the internal revenue bonded warehouse within 20 years from the date of original entry for deposit.

Pursuant to the above provisions of law, the following new subpart, Subpart J, is added to 26 CFR Part 170:

SUBPART J-EXTENSION OF BONDING PERIOD AND RELATED CHANGES Sec

170.171 Scope of subpart.

DEFINITIONS

170.172 Meaning of terms.

EXTENSION OF BONDING PERIOD

170.173 General.

EXTENSION OF BONDING PERIOD-DURING FIRST 10 days of the act

170.174 Time limit.

170.175 Consents of surety.

170.176 New bond.

EXTENSION OF BONDING PERIOD AFTER THE FIRST 10 DAYS OF THE ACT

170.177 Filing of consent or bond and consent.

APPROVAL OF BONDS AND CONSENTS OF SURETY 170.178 Authority.

REMOVAL OF RESTRICTION ON BOTTLING OF GIN IN BOND FOR EXPORT

170.179 Bottling for export.

AUTHORITY: §§ 170.171 to 170.179, issued under sec. 7805, 68 Stat 917; 26 U.S. C. 7805.

§ 170.171 Scope of subpart. This subpart prescribes requirements pertaining to: The extension of the bonding period on distilled spirits stored in, or in transit to, internal revenue bonded warehouses on the date of enactment of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress); related changes in the conditions of the

No. 173--2

transportation and warehousing bonds extension of bonding period during covering such premises affected by section 206 (a), (b), and (f) of such act: and the elimination from existing law of the provision in section 5243 (b), I. R. C., restricting the bottling in bond of gin for export to the period within 8 years after entry in bond.

DEFINITIONS

§ 170.172 Meaning of terms. When used in this subpart, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine as well. The terms "includes" and "in-cluding" do not exclude things not enumerated which are in the same general class.

Act. The Excise Tax Technical Changes Act of 1958 (H. R. 7125—85th Congress).

Assistant regional commissioner. An assistant regional commissioner (alcoholand tobacco tax) who is responsible to, and functions under the direction and supervision of, a regional commissioner of internal revenue.

Bonded warehouse or warehouse. An internal revenue bonded warehouse as defined in this section.

Director. The Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Treasury Department, Washington 25, D. C.

Distilled spirits or spirits. A substance (except alcohol produced at an industrial alcohol plant operated under Part 182 of this chapter) produced by the distillation of fermented grain, molasses, fruit, or other materials, commonly known as spirits, whisky, brandy, rum, gin, vodka, etc.

Internal revenue bonded warehouse. A bonded warehouse established and operated under the provisions of 26 CFR Part 225.

I. R. C. The Internal Revenue Code of 1954.

Person. An individual, a trust, estate, partnership, association, company, or corporation.

Proprietor or warehouseman. person operating an internal revenue bonded warehouse, unless otherwise indicated.

U. S. C. The United States Code.

EXTENSION OF BONDING PERIOD

§ 170.173 General. Notwithstanding the provisions of Part 225 of this chapter, the tax on distilled spirits entered for deposit in internal revenue bonded warehouses in respect of which the 8-year bonding period has not expired before the date of enactment of the act, shall be determined at the time the same are withdrawn therefrom and within 8 or 20 years from the date of original entry for ceposit therein, whichever may be required by the bond covering such spirits (except that distilled spirits which on July 26, 1936, were 8 years of age or older and which were in bonded warehouses on that date, may remain therein).

FIRST 10 DAYS OF THE ACT

§ 170.174 Time limit. If the 8 years from the date of original entry for deposit of any distilled spirits on deposit in, or in transit to, any warehouse expires at any time during the 10-day period which begins on the date of the enactment of the act, the proprietor may have the bonding period for such spirits extended to 20 years if (and only if) he filed before the close of such 10-day period either a properly executed consent of surety, as provided in § 170.175, or a new bond, as provided in § 170.176.

§ 170.175 Consents of surety. Consents of surety filed pursuant to § 170.174 must be executed on Form 1533, in duplicate, by the proprietor of the internal revenue bonded warehouse and the surety (or sureties) on the proprietor's transportation and warehousing bond, Form 1571. The Form 1533 must properly identify the bond affected thereby and contain the following statement:

To change, for periods on and after the date of enactment of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress), the condition of said bond based on the withdrawal of distilled spirits from the internal revenue bonded warehouse within 8 years from the date of the first entry thereof in any internal revenue bonded ware-house to a condition based on the withdrawal of spirits from the internal revenue bonded warehouse within 20 years from the date of the original entry for deposit.

\$170.176 New bond. Where, pursuant to the provisions of \$170.174, the proprietor desires to file a new bond which applies to periods on and after the date of the enactment of the act. he shall submit such bond on Form 1571, in duplicate. The new bond must be accompanied by a consent, as set forth in § 170.175, changing the condition that the tax will be paid within 8 years from the date of the first entry of the distilled spirits in an internal revenue bonded warehouse to a condition that the tax will be paid within 20 years from such date. The effective date of the bond must be the date of the enactment of the act. Where the proprietor has had the terms of the existing bond extended by approved consents of surety, and he desires to have the same terms apply under the new bond, he must at the time of filing the new bond execute and submit consent of surety which will extend the terms of the new bond to cover the same operations permitted under the superseded bond. The penal sum of the new bond shall be in accordance with the provisions of Part 225 of this chapter.

EXTENSION OF BONDING PERIOD AFTER THE FIRST 10 DAYS OF THE ACT

§ 170.177 Filing of consent or bond and consent. Where, after the 10-day period provided for in § 170.174, the proprietor desires to have the bonding period covering distilled spirits in his warehouse changed from an 8-year period to a 20year period, he must file a consent, Form 1533, in duplicate, on his warehousing and transportation bond, Form 1571, or file a new bond, Form 1571 and proper consent, in duplicate. In such case the consent must be filed to take effect before the expiration of the 8-year bonding period in respect of any distilled spirits for which the extension of the bonding period is desired. The consent must identify the bond and contain the following statement:

To change the condition of said bond based on the withdrawal of distilled spirits from the internal revenue bonded warehouse within 8 years from the date of the first entry thereof in any internal revenue bonded warehouse to a condition based on the withdrawal of spirits from the internal revenue bonded warehouse within 20 years from the date of the original entry for deposit.

Where the proprietor has had the terms of the existing bond extended by approved consents of surety, and he desires to have the same terms apply under the new bond, he must at the time of filing the new bond execute and submit consent of surety which will extend the terms of the new bond to cover the same operations permitted under the superseded bond. The penal sum of the bond shall be in accordance with the provisions of Part 225 of this chapter.

APPROVAL OF BONDS AND CONSENTS OF SURETY

§ 170.178 Authority. All consents and bonds provided for in this subpart shall be submitted to the assistant regional commissioner. Assistant regional commissioners are authorized to approve all bonds and consents of surety submitted under the provisions of this subpart.

(68A Stat. 629, 630, 680; 26 U.S. C. 5176, 5177, 5551)

REMOVAL OF RESTRICTION ON BOTTLING OF GIN IN BOND FOR EXPORT

§ 170.179 Bottling for export. Notwithstanding the requirements of the distilled spirits warehousing regulations, § 225.953 of this chapter, gin reduced with pure water to not less than 80 proof may, at any time after entry in bond and before the expiration of the bonding period specified in the proprietor's bond. be bottled in bond for export: Provided, That gin which becomes 8 years of age in the 10-day period which begins on the date of enactment of the act may not be bottled for export unless the consent of surety or new bond provided for in § 170.174 is filed.

Par. 2. Section 210 (a) (2) of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress) reads as follows:

SEC. 210 (a) (2) Mingling of distilled spirits. Provisions having the effect of—
(A) section 5025 (e) (7) (exemption from laws pertaining to rectification), and
(B) section 5234 (a) (2) (permitting the

mingling of distilled spirits for further storage in bond)

of the Internal Revenue Code of 1954 (as such sections are included in chapter 51 of such Code as amended by section 201 of this Act) shall be deemed to be included in the Internal Revenue Code of 1954, effective on the day following the date of the enactment of this Act. In applying the provisions of such sections 5025 (e) (7) and 5234 (a) (2) during the period beginning on the day following the date of the enactment of this Act and ending at the close of June 30, 1959,

references to bonded premises shall be treated as references to internal revenue bonded warehouses.

Sections 5025 (e) (7) and 5234 (a) (2) of the Internal Revenue Code of 1954 (as such sections are included in chapter 51 of such Code as amended by section 201 of the Excise Tax Technical Changes Act of 1958 (H. R. 7125—85th Congress) read as follows:

Sec. 5025 (e) Mingling of distilled spirits. Sections 5021, 5081, and 5082 shall not apply

(7) the mingling on bonded premises of distilled spirits for further storage in bond as authorized by section 5234 (a) (2).

Sec. 5234 (a) (2) Consolidation of packages for further storage in bond. Under such regulations as the Secretary or his delegate shall prescribe, distilled spirits—

(A) of the same kind,(B) distilled at the same distillery,

(C) distilled by the same proprietor (under his own or any trade name), and

(D) which have been stored in internal revenue bond in the same kind of cooperage for not less than 4 years (or 2 years in the case of rum or brancy),

may, within 8 years of the date of original entry for deposit of the spirits, be mingled on bonded premises for further storage in bond in as many as necessary of the same packages in which the spirits were stored before consolidation. Where distilled spirits produced in different distilling seasons are mingled under this paragraph, the mingled spirits shall consist of not less than 10 percent of spirits of each such season. No spirits mingled under the provisions of this paragraph shall be again mingled under the provisions thereof until at least one year has elapsed since the last prior mingling. For purposes of this chapter, the date of original entry for deposit of the spirits mingled under the provisions of this paragraph shall be the date of original entry for deposit of the youngest spirits contained in the mingled spirits, and the distilling season of such mingled spirits shall be the distilling season of the youngest spirits contained therein. Notwithstanding any other provisions of law, distilled spirits mingled under this paragraph may be bottled and labeled the same as if such spirits had not been so mingled. No statement claiming or implying age in excess of that of the youngest spirits contained in the mingled spirits shall be made on any stamp or label or in any advertisement.

Pursuant to the above provisions of law, the following new subpart, Subpart K, is added to 26 CFR Part 170:

SUBPART K—CONSOLIDATION OF PACKAGED DISTILLED SPIRITS

Sec.	
170.185	Scope of subpart.
170.186	Authorized consolidation.
170.187	Consent of surety.
170.188	Equipment for mingling.
170.189	Application.
170.190	Dumping and gauging.
170.191	Determining date of original entry.
170,192	Filling and gauging consolidated
	packages.
170.193	Numbering, marking, and branding
	consolidated packages
170.194	Withdrawal, bottling, and labeling
	of mingled spirits.
170.195	Restriction on age statement.

170.196 Monthly report.

AUTHORITY: \$\$ 1^0.185 to 170.196, issued under sec. 7805, 68 £ tat. 917; 26 U.S. C. 7805.

§ 170.185 Scope of subpart. This subpart prescribes the requirements for consolidation of packages of spirits for

further storage in bond pursuant to section 210 (a) (2) of the Excise Tax Technical Changes Act of 1958 (H. R. 7125—85th Congress).

§ 170.186 Authorized consolidation. Within 8 years of the date of original entry for deposit, and with the prior approval of the internal revenue officer in charge, packages of spirits of the same kind, distilled by the same proprietor (under his own or any trade name) at the same distillery, and which have been stored in internal revenue bond in the same kind of cooperage for not less than 4 years (or 2 years in the case of rum or brandy) may, as provided in this subpart, be dumped and mingled in a warehouse tank, and immediately repackaged, in as many as necessary of the packages from which dumped, for further storage in bond. Where spirits produced in different distilling seasons are mingled under this subpart, the mingled spirits shall consist of not less than 10 percent of spirits of each such season. No spirits mingled under this subpart shall again be mingled under this subpart until at least one year has elapsed since the last prior mingling.

§ 170.187 Consent of surety. Where a proprietor desires to mingle spirits under this subpart, he shall first file with the assistant regional commissioner a properly executed consent of surety, Form 1533, in duplicate, which shall identify the bond affected and contain the following statement:

To extend the terms of the bond to cover any tax liability with respect to spirits mingled in accordance with provisions having the effect of the provisions of section 5234 (a) (2), of the Internal Revenue Code of 1954 (as such section is included in section 201 of the Excise Tax Technical Changes Act of 1958 (H. R. 7125—85th Congress)).

Consents given under this section shall be in accordance with Part 225 of this chapter.

§ 170.188 Equipment for mingling. Bulk gauging tanks or storage tanks may be used in mingling and consolidation operations. Where such tanks are not to be so used, other suitable tanks must be provided.

§ 170.189 Application. When it is desired to mingle spirits for further storage in packages, application for such mingling must be submitted on Form 2323, in triplicate, to the internal revenue officer. Where the warehouseman desires to subsequently withdraw such spirits on the original gauge of the consolidated packages he shall note on all copies of the application, "Withdraw on original gauge". If the internal revenue officer approves the application he will date and sign the application, return one copy to the proprietor, and retain the remaining two copies.

§ 170.190 Dumping and gauging. When spirits in packages are to be dumped for mingling, the internal revenue officer will examine them. He will detain any package bearing evidence of unusual loss that cannot be satisfactorily explained, or of tampering, pending further investigation in accordance with the applicable provisions of Part

225 of this chapter, and will supervise the dumping of the spirits. All packages must be drained and packages which are not to be refilled as consolidated packages must be thoroughly rinsed. The proof of the spirits in the tank shall be adjusted to a whole degree of proof and such adjusted proof shall be regarded as the proof of the spirits run into all packages filled from the tank. Rinse water not used in reducing the proof of the spirits must, in each instance, be destroyed, or disposed of as prescribed in Part 225 of this chapter. All marks and brands must be obliterated from the empty packages: Provided, That appropriate marks may be left on packages that are to be used for storage of the spirits. Empty packages not needed for storage of the mingled spirits shall be promptly removed from the warehouse. In all cases the internal revenue officer shall verify the proof, see that all outlets in the tank are locked. determine (volume or weight) the quantity of spirits in the tank, and report the gauge on all copies of the application.

§ 170.191 Determining date of original entry. Where spirits are mingled under this subpart, the date of original entry for deposit of the youngest spirits in the lot shall, for the purposes of chapter 51, I. R. C., be the date of original entry for deposit for all the spirits in the lot, and the distilling season of such mingled spirits shall be the distilling season of the youngest spirits contained therein.

§ 170.192 Filling and gauging consolidated packages. At the time the mingled spirits are to be drawn into packages, the internal revenue officer shall see that all valves and openings of the tank other than the necessary outlet valves are closed and locked. All spirits drawn from the tank will be carefully gauged by the warehouseman, under the supervision of the internal revenue officer, and the details thereof will be entered by the warehouseman on Form 1520, in triplicate: Provided, That where the warehouseman has indicated on his application, Form 2323, that the consolidated packages are to be withdrawn on the original gauge, the internal revenue officer shall, unless the packages are to be withdrawn without payment of tax for use in wine production. make such gauge and report the details thereof on Form 1520, noting on Form 1520, "Withdraw on original gauge". There shall be noted on Form 1520 the date of the original entry for deposit of the youngest spirits mingled in the tank. Weights shall be determined in pounds and one-half pounds. Where the gauge is performed and reported by the warehouseman, the internal revenue officer shall, from time to time, verify the tares, gross weights, and tax gallonages. Where the internal revenue officer finds significant discrepancies in the warehouseman's report of gauge, or in the marks and brands required to be placed on any container, the warehouseman shall make such corrections as may be required by the internal revenue officer. Where a remnant package results, because of insufficient spirits remaining in

the tank to fill the last package, such package shall be gauged and marked in the same manner as the other consolidated packages. Losses or gains of spirits resulting from the repackaging operation shall be reported by the internal revenue officer on the application, Form 2323, by indicating the difference between the total quantity in the tank prior to repackaging and the total quantity repackaged. On completion of the gauging and the preparation of the gauge report, one copy of the approved Form 2323 and one copy of the Form 1520 will be forwarded to the assistant regional commissioner by the internal revenue officer, one copy of each will be retained by the proprietor, and one copy of each will be placed in the appropriate file in the Government office.

§ 170.193 Numbering, marking, and branding consolidated packages. Packages of spirits mingled under this subpart shall be marked and branded in accordance with § 225.417f of this chapter, except that such packages shall be serially numbered, beginning with the number "1" preceded by the letters "CS" (Consolidated for Storage)." The symbol "CS" and the number and State shall be considered a part of the serial number and must be shown on all official forms and records.

§ 170.194 Withdrawal, bottling, and labeling of mingled spirits. Packaged spirits which have been mingled under this subpart may be withdrawn, pursuant to the applicable provisions of Part 225 of this chapter, for any purpose for which the spirits could have been withdrawn before mingling. Distilled spirits mingled under this subpart may be bottled and labeled the same as if such spirits had not been so mingled.

§ 170.195 Restriction on age statement. No statement claiming or implying age in excess of that of the youngest spirits contained in spirits mingled under this subpart shall be made on any stamp or label or in any advertisement.

§ 170.196 Monthly report. Proprietors shall submit a monthly report on Form 2546 of mingling and consolidation operations under this subpart. The report shall be prepared in duplicate and submitted to the internal revenue officer on or before the 10th day of the month following that for which the report is submitted. All of the information called for shall be furnished in accordance with the instructions on the form or issued in respect thereto.

Because sections 206 (f) and 210 (a) (2) of the Excise Tax Technical Changes Act of 1958 (H. R. 7125-85th Congress) are effective on the date of enactment of the act, and on the day following the date of enactment of the act, respectively, it is found that it is impractical and contrary to the public interest to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act (60 Stat. 238; 5 U.S. C. 1003) or subject to the effective date limitation of section 4 (c) of such Act. Accordingly, paragraph 1 of this Treasury decision shall be effective on the date of enactment of the Excise Tax Technical Changes Act (H. R. 7125-85th Congress) and paragraph 2 of this Treasury decision shall be effective on the day following the date of enactment of said act.

RUSSELL C. HARRINGTON, Commissioner of Internal Revenue.

Approved: August 26, 1958.

Dan Throop Smith, Deputy to the Secretary.

[F. R. Doc. 58-7138; Filed, Sept. 3, 1958; 9:18 a. m.1

TITLE 32—NATIONAL DEFENSE Chapter VI-Department of the Navy

Subchapter E-Claims

PART 750-NAVY GENERAL CLAIMS

SUBPART C-GENERAL PROVISIONS; INVESTIGATION AND PROCEDURE

Section 750.41 (a) (6) is revised to read, as follows:

(6) Such other officers as may be designated by the Secretary of the Navy.

Section 750.41 (b) (6) is revised to read, as follows:

(6) Such other officers as may be designated by the Secretary of the Navy.

(Sec. 6011, 70A Stat. 375; 10 U. S. C. 6011. Interprets or applies secs. 2671-2680, 62 Stat. 982-984, as amended, secs. 2671-2680, 62 Stat. 982-984, as amended, secs. 2733, 7625, 70A Stat. 153, 473; 28 U.S. C. 2671-2680; 10 U. S. C. 2733, 7625)

By direction of the Secretary of the

Dated: August 27, 1958.

Ll Wilfred Hearn, Captain, U. S. Navy, Acting Judge Advocate General of the Navy.

[F. R. Doc. 58-7097; Filed, Sept. 3, 1958; 8:45 a.m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 92-Transportation of Mail by RAILROADS

APPLICABILITY OF COMPREHENSIVE PLAN A; RAILROADS COVERED

Effective October 1, 1958, § 92.12 Applicability of Comprehensive Plan A; railroads covered (23 F. R. 218) is amended to read as follows:

§ 92.12 Applicability of Comprehensive Plan A; railroads covered. Sections 92.1 to 92.11 shall apply to the following railroads:

Alabama Great Southern Railroad Co. (The).

Albany & Northern Railway Co. Atchison, Topeka & Santa Fe Railway Co. (The).

Atlantic Coast Line Railroad Co. Baltimore & Ohio Railroad Company (The). Bangor and Arocstook Railroad Company. Canadian National Railway Company. Canadian National Railway Co,—Lines in

Minnesota. Canadian Pacific Eailway Company.

Carolina, Clinchfield & Ohio Railway, Lessees: Atlantic Coast Line Railroad Co.; Louisville & Nashville Railroad Co.

Central of Georgia Railway Co. Central Railroad Company of New Jersey

(The). Central Vermont Railway, Inc.

Chesapeake and Ohio Railway Co. (The). Chicago & North Western Railway Co. Chicago, Burlington & Quincy Railroad Co. Chicago Great Western Railway Co. Chicago, Milwaukee, St. Paul & Pacific

Railroad Co. Chicago, Rock Island & Pacific Railroad Co.

Cincinnati, New Orleans & Texas Pacific Railway Co. (The).

Colorado & Southern Railway Co. (The) Delaware and Hudson R. R. Corp. (The). Delaware, Lackawanna and Western Railroad Company (The).

Denver & Rio Grande Western Railroad Co.

Duluth, Missabe & Iron Range Railway Co. Duluth, South Shore & Atlantic Railroad

Duluth, Winnipeg & Pacific Railway Co. Erie Railroad Company. Florida East Coast Railway Co.

Fort Worth and Denver Railway Co. Georgia Northern Railway Co. (The). Georgia Railroad.

Georgia Southern & Florida Railway Co. Grand Trunk Western Railroad Company. Great Northern Railway Co. Gulf, Colorado & Santa Fe Railway Co.

Gulf, Mobile & Ohio Railroad Co. Illinois Central Railroad Co.

Kansas City Southern Railway Co. (The). Lehigh Valley Railroad Company. Long Island Rail Road Company (The). Louisiana & Arkansas Railroad Co.

Louisville & Nashville Railroad Co. Minneapolis & St. Louis Railway Co. (The). Minneapolis, St. Paul & Sault Ste. Marie

Railroad Co. Missouri-Kansas-Texas Railroad Co. Missouri-Kansas-Texas Railroad Co. of

Texas. Missouri-Pacific Railroad Co.

New Orleans and Northeastern Railroad Co. York Central Railroad Company (The).

New York, Chicago and St. Louis Railroad Company (The).

New York, New Haven & Hartford Railroad

Company (The). Norfolk and Western Railway Company. Northern Pacific Railway Co.

Northwestern Pacific Railroad Co. Oregon Trunk Railway.

Panhandie & Santa Fe Railway Co. Pennsylvania Railroad Company (The). Pennsylvania-Reading Seashore Lines.

Pittsburgh and Lake Erie Railroad Com-

pany (The). Reading Company. Richmond, Fredericksburg & Potomac Railway Company.

St. Louis-San Francisco Railway Co. St. Louis, San Francisco & Texas Railway

St. Louis Southwestern Railway Co. Seaboard Air Line Railroad Co. Southern Pacific Co. Southern Railway Co. Spokane, Portland & Seattle Railway Co. Tennessee Central Railway Co.

Texas & New Orleans Railroad Co. Texas & Pacific Railway Co. (The). Texas-New Mexico Railway Co.

Union Pacific Railroad Co.

Vermont and Province Line Railroad Company.

Wabash Railroad Co. Western Maryland Railway Company. Western Pacific Railroad Co. (The). Western Railway of Alabama (The). White Sulphur Springs & Yellowstone Park Railway Co.

Wisconsin Central Railroad Co.

(R. S. 161, as amended, 396, as amended; secs. 1, 5, 39 Stat. 419, 425-431; Public Law 85-819, 72 Stat. 547; 5 U. S. C. 22, 369, 39 U. S. C. 523-541, 542-568)

[SEAL] HERBERT B. WARBURTON, General Counsel.

[F R. Doc. 58-7114; Filed, Sept. 3, 1958; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service [50 CFR Part 32 I

HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to revise the description of Area No. 4 as it appears in § 32.72 of Subpart—Havasu Lake National Wildlife Refuge, Arizona and California, Chapter I, Title 50, Code of Federal Regulations, as set forth in tentative form below. The purpose of the proposed revision is to reduce the extent of Area No. 4 so as to provide additional protection to the Great Basin Canada goose of the Havasu Lake National Wildlife Refuge.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed regulation to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: August 28, 1958.

D. H. JANZEN, Director, Bureau of Sport Fisheries and Wildlife.

Area No. 4. That part of the refuge lying south of an east-west line at the approximate location of Island-Castle Rock Area, more particularly described as an eastward extension of the line between Townships 5 and 6 North, Range 24 East, San Bernardino Meridan, and lying north of an east-west line starting approximately at the Black Meadow Wash, more particularly described as the westward extension of the line between Townships 12 North and 11 North, Range 18 West, Gila and Salt River Meridian.

[F. R. Doc. 58-7093; Filed, Sept. 3, 1958; 8:45 a.m.]

I 50 CFR Part 32 I

MONTE VISTA NATIONAL WILDLIFE REFUGE, COLORADO

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority contained in section 10

of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to add §§ 32.109 and 32.110 to Subpart-Monte Vista National Wildlife Refuge, Colorado, Title 50. Code of Federal Regulations, to read as set forth in tentative form below. The purpose of this amendment is to provide for the hunting of migratory game birds, pheasants, and rabbits on certain lands of the Monte Vista National Wildlife Refuge under certain limitations and subject to compliance with the laws and regulations of the State of Colorado.

This proposed amendment relatés to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U. S. C. 1003); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: August 28, 1958.

A. V. Tunison, Acting Director, Bureau of Sport Fisheries and Wildlife.

§ 32.109 Hunting of migratory game birds permitted. Subject to compliance with the provisions of Parts 6, 18, and 21 of this chapter, the hunting of migratory game birds is permitted on the hereinafter described lands of the Monte Vista National Wildlife Refuge, Colorado, subject to the following conditions, restrictions, and requirements:

(a) Hunting area. The following described area is open to hunting:

Those lands of the Monte Vista National Wildlife Refuge lying east of the east line of Sec. 6, T. 37 N., R. 8 E., bounded on the north by Spring Creek, on the east by the Empire Canal, and on the south by the Resettlement Ditch; and that portion of Sec. 9, T. 37 N., R. 8 E., lying south of the Resettlement Ditch, more particularly described as those lands in Secs. 27, 28, 32, 33, and 34, T. 38 N., R. 8 E., lying south of Spring Creek and west of the Empire Canal; those lands in Secs. 2, 3, 4, 5, 8, 9, and 10, T. 37 N., R. 8 E., lying north of the Resettlement Ditch and west of the Empire Canal; and those lands in Sec. 9, T. 37 N., R. 8 E., lying south of the Resettlement Ditch.

- (b) State laws. Strict compliance with all State laws and regulations is required.
- (c) Hunting dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.
- (d) Boats prohibited. The use of boats is prohibited.
- (e) Checking stations. Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for regulating the hunting.

§ 32.110 Hunting of pheasants and rabbits permitted. Subject to compliance with the provisions of Parts 18 and 21 of this chapter, the hunting of designated species of wild animals is permitted on a portion of the Monte Vista National Wildlife Refuge, Colorado, as follows:

(a) Hunting area. The hunting of pheasants and rabbits is permitted on the following described area:

Those lands of the Monte Vista National Wildlife Refuge. lying east of the east line of Sec. 6, T. 37 N., R. 8 E., bounded on the north by Spring Creek, on the east by the Empire Canal, and on the south by the Resettlement Ditch; and that portion of Sec. 9, T. 37 N., R. 8 E., lying south of the Resettlement Ditch, more particularly described as those lands in Secs. 27, 28, 32, 33, and 34, T. 38 N., R. 8 E., lying south of Spring Creek and west of the Empire Canal; those lands in Secs. 2, 3, 4, 5, 8, 9, and 10, T. 37 N., R. 8 E., lying north of the Resettlement Ditch and west of the Empire Canal; and those lands in Sec. 9, T. 37 N., R. 8 E., lying south of the Resettlement pout of the Resettlement Ditch and sin Sec. 9, T. 37 N., R. 8 E., lying south of the Resettlement Ditch.

- (b) State laws. Strict compliance with all State laws and regulations is required and the period during which hunting is permitted shall not extend beyond the first 3 days of any annual season prescribed by the State.
- (c) Hunting dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

[F. R. Doc. 58-7094; Filed, Sept. 3, 1958; 8:45 a. m.]

I 50 CFR Part 33]

Mark Twain National Wildlife Refuge, Illinois, Iowa, and Missouri

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to add to Chapter I, Title 50, Code of Federal Regulations, a new subpart entitled "Mark Twain National Wildlife Refuge, Illinois, Iowa, and Missouri," and § 33.106 as set forth in tentative form below. The purpose of the proposed regulation is to permit the hunting of game birds and mammals on certain lands of the Mark Twain National Wildlife Refuge under certain limitations and subject to compliance with the laws and regulations of the respective States.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed regulation to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the Federal Register.

Dated: August 23, 1958.

D. H. JANZEN,
Director, Bureau of
Sport Fisheries and Wildlife.

SUBPART-MARK TWAIN NATIONAL WILD-LIFE REFUGE, ILLINOIS, IOWA, AND MISSOURI

HUNTING

§ 33.106 Hunting permitted. Subject to the provisions of Parts 6, 18, and 21 of this chapter, the hunting of upland game birds, game mammals, and migratory game birds is permitted on the hereinafter described lands of the Mark Twain National Wildlife Refuge, Illinois and Iowa, subject to the following conditions, restrictions, and requirements:

(a) Hunting area. The following described areas are open to hunting:

STATE OF ILLINOIS

POOL 25 (CALHOUN COUNTY)

T. 12 S., R. 2 W., 4th P. M., Sec. 18, S1/2;

Sarah Ann Island and small island (Tract C-205C) lying in secs. 18 and 19. T. 10 S., R. 3 W., 4th P. M., Island No. 54 and Tracts C-275B and C-

275C lying in secs. 2, 11, and 12; Secs. 13, 24, and 25 less exceptions. T. 12 S., R. 3 W., 4th P. M.,

Turner Island and 3 small islands (Tracts C-222B and C-228), lying in sec. 1 and partly in T. 11 S., R. 3 W., sec. 36.

STATE OF IOWA

POOL 17 (LOUISA COUNTY)

T. 74 N., R. 2 W., 5th P. M.,

Turkey Island and that part of Otter Island 1,500 feet north of the centerline of Dam No. 17 in secs. 15, 16, 21, and 22.

T. 75 N., R. 2 W., 5th P. M.,

Island No. 343 lying in secs. 9, 10, 15, and 16; secs. 9 (portion of Tract FIa-73), 16 (less 300' strip along Mississippi River), 17, 20, 21, 29 (less exception along west boundary), and 32 (Tract FIa-14), and including Ramsey Island.

POOL 18 (DES MOINES AND LOUISA COUNTIES)

T. 71 N., R. 1 W., 5th P. M.,

Secs. 3 (part of Nigger Island), 10 (S½), 15, 21, 22, 27, 28, 29, 31, and 32, and including Eagle Island, Furnald Island, Long Island, Oquawka Island, and Islands IaIs-3, 9, and 10.

T. 72 N., R. 1 W., 5th P. M.,

In secs. 3, 9, 10, 15, 16, 21, 22, 23, 25, 27, and 34 the following islands: Huron, Garner, Garner No. 2, Big Cody, 359, 360 (part), Little Cody or 361, Penn, 362 (less north end), Johnson, Camp, Nigger (part), Little Nigger, IaIs-17, 18, 19, 21, 23, 26A, 30, and 37.

T. 73 N., R. 1 W., 5th P. M.,

Secs. 5, 6 (part), 8 (part), 16 (part), 21, 28 (part). In secs. 5, 6, 8, 9, 16, 21, 22, 27, 28, and 34 the following islands: Blackhawk, Horseshoe, IaIs-48 to 50, 53 to 55, 57 to 60, 62 to 70, 73, and 74.

T. 74 N., R. 1 W., 5th P. M.,

Sec. 32 (part). In secs. 31 and 32 the following islands: Brass, IaIs-70, 71.

POOL 16 (MUSCATINE COUNTY)

T. 77 N., R. 1 W., 5th P. M.,

Tracts FTa-1, 2, 3, 5; Geneva Island, part of Hog Island, 1,400 to 2,000 feet east of centerline of Dam No. 16, Long Island, Island No. 329 less exception, Goose Island; Tracts IaIs-2, 29, 50, 51, 52, 53, all lying in secs. 28, 29, 30, 31, 32, 33, 34, 35, and 36.

(b) State laws. Strict compliance with all applicable State laws and regulations is required.

(c) Dogs. Hunting dogs, not to exceed two per hunter, may be used for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(d) Boats. The use of boats for the purpose of hunting is permitted.

(e) Checking stations. Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for the purpose of regulating the hunting.

(f) State cooperation. State cooperation may be enlisted in the regulation, management, and operation of the public hunting areas, and the State may promulgate such special regulations as

may be necessary for these purposes. In the event such State regulations are issued, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

[F. R. Doc. 58-7092; Filed, Sept. 3, 1958; 8:45 a. m.]

1 50 CFR Part 33 I

UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE, ILLINOIS, IOWA, MINNE-SOTA, AND WISCONSIN

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority contained in section 6 of the Upper Mississippi River Wild Life and Fish Refuge Act (43 Stat. 650) as amended, and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to modify the boundaries of La Crosse and Elk River closed areas described in § 33.275 of Subpart-Upper Mississippi River Wild Life and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin, Chapter I, Title 50, Code of Federal Regulations, as set forth in tentative form below. The purpose of the proposed modification is to make minor adjustments so as to establish more logical boundaries of these closed areas. Only the areas hereinafter described are intended to be modified and all other closed areas will remain unchanged.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed regulation to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the Federal Register.

Dated: August 28, 1958.

A. V. TUNISON. Acting Director, Bureau of Sport Fisheries and Wildlife. .

WISCONSIN

LA CROSSE COUNTY

La Crosse closed area. All lands and waters, now or hereafter owned or controlled by the United States and administered by the U.S. Fish and Wildlife Service (excludthe U. S. Fish and Wildlife Service (excluding lands under the sole jurisdiction of the Corps of Engineers) and lying and being in secs. 1, 2, 3, 4, 10, 11, 12, 13, and 14, T. 16 N., R. 8 W.; and secs. 21, 22, 23, 25, 26, 27, 28, 29, 33, 34, 35, and 36, T. 17 N., R. 8 W., 4th P. M., La Crosse County, Wisconsin, which are enlared by the following described boundaries. closed by the following described boundaries:

Beginning at the corner common to Tps. 16 and 17 N., Rs. 7 and 8 W., thence northerly with the line between Tps. 17 N., Rs. 7 and 8 W., to Project Boundary Pin No. 51 in the project boundary as established by the U. S. Corps of Engineers in the line between secs. 25 and 30, 928.0 feet northerly of the corner common to secs. 25, 30, 31, and 36; thence northwesterly with said project boundary through secs. 25, 26, and 23 to Project Pin No. 70, in Lot 3, sec. 23; thence southwesterly approximately 850 feet to the southeast corner of lot 7, sec. 22; thence westerly with the south boundaries of lots 7 and 6, and the N½SW¼, sec. 22, to the southeast corner of lot 4, sec. 21; thence along the south boundary of said lot 4 to where said boundary intersects the south fork of Glbbs Chute in the southeast corner of lot 3, sec. 21; thence along the southerly or left bank of the south fork of Gibbs Chute in sec. 21, T. 17 N., R. 8 W.; thence along south bank of said south fork of Gibbs Chute through secs. 21, 28, and 29 to the east or left bank of the Mississippi River; thence southerly down the east or left bank of the Mississippi River with the southbank of the Mississippi River with the south-westerly boundaries of fractional secs. 29, 28, and 33, T. 17 N., R. 8 W., and secs. 4, 3, 10, 11, and 14, T. 16 N., R. 8 W., to an inter-section with the southerly construction-limit boundary of the earth dike of Lock and Dam No. 7; thence easterly across secs. 14 and 13, with said construction-limit boundary approximately 400 feet normally distant south of the north houndary of said distant south of the north boundary of said sections, approximately 8,000 feet to Project Boundary Pin No. 1 at the southeast corner of said construction limits in lot 3 of sec. 13, T. 16 N., R. 8 W.; thence N. 5°04' W., 400.3 feet to Project Boundary Pin No. 1A in the line between secs. 12 and 13; N. 7°28' W., 185.0 feet to Project Pin No. 1B; thence northwesterly across the construction area for Lock and Dam No. 7, approximately 175 feet to Project Boundary Pin No. 1G, in the project boundary as established by the U.S. Corps of Engineers; thence northerly and easterly with said Project Boundary in secs. 12 and 1 of T. 16N, R. 8 W., to Project Boundary Pin No. 18 at the north one-sixteenth corner common to sec 1, T. 16 N., R. 8 W., and sec. 6, T. 16 N., R. 7 W.; thence northerly with the line common to said sections, approximately 1,320 feet to the Place of Beginning.

CLINTON COUNTY

Elk River closed area. All the lands and waters now or hereafter owned or controlled by the United States and administered by the U. S. Fish and Wildlife Service and lying and being in secs. 4, 5, 8, 9, 16, 17, 20, 21, and 29. T. 83 N., R. 7 E., 5th P. M., Clinton County, Iowa, which are enclosed by the following described boundaries: Beginning at the point where the south line of N½NE¼ of sec. 5 intersects the 583.0-foot contour; thence southerly with the 583.0-foot contour through secs. 5 and 8 to an intersection with the easterly right-of-way boundary of the Chicago, Milwaukee, St. Paul, and Pacific Railway between secs. 8 and 9; thence southwesterly with the Chicago, Milwaukee, St. Paul, and Pacific right-of-way boundary through secs. 9, 16, 17, and 20 to an intersection with the northeast bank of Elk River; thence southeasterly with the northeast bank of Elk River to an intersection with the west-erly bank of Elk River Slough; thence northeasterly with the westerly bank of Elk River Slough in secs. 29, 20, and 21 to an intersection with the westerly or right bank of the main channel of the Mississippi River; thence northerly with the westerly bank of the Mississippi River in secs. 21, 16, 9, and 4 to the southwesterly bank of the mouth of Dark Slough; thence northwesterly with the southwesterly bank of Dark Slough in secs. 4 and 5 to the point where it intersects the south line of N%NE% of sec. 5, T. 83 N., R. 7 E.;

thence westerly with the south line of $N\frac{1}{2}NE\frac{1}{4}$ of sec. 5 to the Place of Beginning. [F. R. Doc. 58-7095; Filed, Sept. 3, 1958; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service I 7 CFR Part 52]

SUGARCANE MOLASSES

U. S. STANDARDS FOR GRADES 1

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Grades of Sugarcane Molasses, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U.S. C. 1621 et seq.). These standards, if made effective will be the second issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than March 15, 1959.

The proposed revision is as follows:

PRODUCT DESCRIPTION AND GRADES

	-	.,
1	Sec. 52.3651 52.3652	Product description. Grades of sugarcane molasses.
٠	14.0004	CIACCS OF preference more pro-

FILL OF CONTAINER

52.3653 Recommended fill of container.

FACTORS OF QUALITY

52.3654	Ascertaining the grade.
52.3655	Compliance with the recommended
	minimum Brix solids and total
	sugar, and the maximum ash

Ascertaining the rating for the fac-52.3656 tors which are scored.

52.8657 Color. 52.3658 Flavor. 52.3659 Defects.

DEFINITIONS AND METHODS OF ANALYSIS

Color of sugarcane molasses. Application of U. S. D. A. permanent glass color standards in classify-
ing the color of sugarcane mo-
19898

Brix solids. 52.3662

Ash. 52.3663

Sulfur dioxide, p. p. m. 52.3664

52,3665 Reducing sugars.

52.3666 Sucrose. 52.3667

Total sugar. Methods of analysis. 52 3868

LOT INSPECTION AND CERTIFICATION

52.3669 Ascertaining the grade of a lot.

SCORE SHEET

52.3670 Score sheet for sugarcane molasses.

AUTHORITY: \$\$ 52.3651 to 52.3670 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION AND GRADES

§ 52.3651 Product description. (a) Sugarcane molasses is the clean, sound, liquid product obtained by evaporating the juice of sugarcane and the removal of all or any part of the commercially crystallizable sugar.

§ 52.3652 Grades of sugarcane mo-lasses. (a) "U. S. Grade A" (or "U. S. Fancy") is the quality of sugarcane molasses that possesses a good color; that possesses a good flavor; that is practically free from defects; and that scores not less than 90 points when rated in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade B" (or "U. S. Choice") is the quality of sugarcane molasses that possesses a reasonably good color; that possesses a reasonably good flavor; that is reasonably free from defects; and that scores not less than 80 points when rated in accordance with the scoring system outlined in this subpart.

(c) "U. S. Grade C" (or "U. S. Standard") is the quality of sugarcane molasses that possesses a fairly good color; that possesses a fairly good flavor; that is fairly free from defects; and that scores not less than 70 points when rated in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of sugarcane molasses that fails to meet the requirements of U.S. Grade C.

FILL OF CONTAINER

§ 52.3653 Recommended fill of container. The recommended fill of container is not incorporated in the grades of the product since fill of container, as such, is not a factor of quality for the purpose of the grades in this subpart. It is recommended that each container be filled with molasses as full as practicable.

FACTORS OF QUALITY

§ 52.3654 Ascertaining the grade-General. In addition to considering other requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:

- (1) Factors not rated by score points:
- (i) Brix solids.
- (ii) Total sugar.
- (iii) Ash.
- (iv) Total sulfites.
- (2) Factors rated by score points: The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

ractors:	nnts
Color	40
Flavor	40
Defects	20
Total score	100

(3) The recommended minimum Brix solids and total sugar and the recommended maximum ash content and total sulfites for the respective grade of sugarcane molasses are given in Table No. 1 of this subpart.

TAPLE NO. 1—RECOMMENDED MINIMUM BRIX SOLIDS AND TOTAL SUGAR AND MAXIMUM ASH AND TOTAL SULFITES

Grade	Brix	Total	Ash	Total
designation	solids	sugar		sulfites
U. S. Grade A U. S. Grade B U. S. Grade O Substandard	Percent 79 79 79 79	Percent 63.5 61.5 58.0	Percent 5.00 7.00 9.00 Over 9.00	p. p. m, 200 250 250 Over 250

§ 52.3655 Compliance with the recommended minimum Brix solids and total sugar and the maximum ash content. Compliance with the recommended minimum Brix solids and total sugar and the maximum ash content is determined by averaging the results of the respective determination for all of the containers which are representative of a specific lot. Such lot is considered as meeting the recommendations if:

(a) The average of the respective Brix, sugar, and ash values of all the containers meet the recommendations in Table No. 1 of this subpart for the respective grade;

(b) None of the containers has a Brix or sugar value less than the lower limits nor an ash value more than the upper limits indicated in Table No. 2 of this

subpart; and

(c) The number of containers falling within the applicable range indicated in Table No. 2 of this subpart for Brix. sugar, or ash values does not exceed the number of deviants allowable in ascertaining the grade of a lot.

Table No. 2—Brix Solids, Total Sugab, and Ash Range

Grade designation	Brix solids	Total sugar	Ash
U.S. Grade	(Percent) Less than 79 but not less than	(Percent) Less than 63.5 but not less than 63.0.	(Percent) More than 5.00 but not more than 5.25
U.S. Grade B.	78.5. do	Less than 61.5 but not less than 61.0.	More than 7.00 but not more than 7.50.
U.S. Grade C.	do	Less than 58.0 but not less than 57.0.	More than 9.00 but not more than 10.0

§ 52.3656 Ascertaining the rating for the factors which are scored. The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.3657 Color-(a) General. Color has reference to the color of sugarcane molasses when examined by means of the U.S.D. A. permanent glass color standards for sugarcane molasses. Information regarding these color standards may be obtained by writing to the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, U.S. Department of Agriculture, Washington 25, D. C.

(b) (A) classification. Sugarcane molasses that possesses a good color may be given a score of 36 to 40 points. "Good

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

color" means that the color is bright and typical of molasses properly prepared and processed from sound, well matured sugarcane, and is equal to or lighter in color than U. S. D. A. permanent glass color standard No. 1 for sugarcane molasses.

(c) (B) classification. If the sugarcane molasses possesses a reasonably good color, a score of 32 to 35 points may be given. Sugarcane molasses that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the color is reasonably bright and is equal to or lighter in color than U.S. D. A. permanent glass color standard No. 2 for sugarcane molasses.

(d) (C) classification. Sugarcane molasses that possesses a fairly good color may be given a score of 28 to 31 points. Sugarcane molasses that falls into this classification shall not be graded above U. S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the color is equal-to or lighter in color than U. S. D. A. permanent glass color standard No. 3 for sugarcane molasses

standard No. 3 for sugarcane molasses.

(e) (SStd.) classification. Sugarcane molasses that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 27 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3658 Flavor—(a) General. The factor of flavor refers to the palatability of the sugarcane molasses.

(b) (A) classification. Sugarcane molasses that possesses a good flavor may be given a score of 36 to 40 points. "Good flavor" means that the product possesses a good, characteristic flavor and is free from objectionable flavors, including but not limited to objectionable flavors caused by scorching or fermentation or the presence of any foreign or disagree-

able flavor or odor.

(c) (B) classification. If the sugarcane molasses possesses a reasonably good flavor, a score of 32 to 35-points may be given. Sugarcane molasses that falls into this classification shall not be graded above U. S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good flavor" means that the product possesses a reasonably good, characteristic flavor and is free from objectionable flavors, including but not limited to objectionable flavors caused by scorching or fermentation or by the presence of any foreign or disagreeable flavor or odor.

(d) (C) classification. Sugarcane molasses that possesses a fairly good flavor may be given a score of 28 to 31 points. Sugarcane molasses that falls into this classification shall not be graded above U. S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good flavor" means that the product possesses a fairly good flavor and is free from objectionable flavors, including but not limited to objectionable flavors caused by scorching or fermentation or the presence of any foreign or disagreeable flavor or odor.

(e) (SStd.) classification. Sugarcane molasses that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3659 Defects—(a) General. Defects refers to the cleanliness of the product and the degree of freedom from harmless extraneous material.

(b) (A) classification. Sugarcane molasses that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that the appearance and edibility of the product are not affected by the presence of harmless extraneous material which may be in suspension or deposited as sediment in the container.

(c) (B) classification. If the sugarcane molasses is reasonably free from defects, a score of 16 or 17 points may be given. Sugarcane molasses that falls into this classification shall not be graded above U. S. Grade B., regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the appearance and edibility of the product are not materially affected by the presence of harmless extraneous material which may be in suspension or deposited as sediment in the container.

(d) (G) classification. Sugarcane molasses that is fairly free from defects may be given a score of 14 or 15 points. Sugarcane molasses that falls into this classification shall not be graded above U. S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the appearance and edibility of the product are not seriously affected by the presence of harmless extraneous material which may be in suspension or deposited as sediment in the container.

(e) (SStd.) classification. Sugarcane molasses that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

DEFINITIONS AND METHODS OF ANALYSIS

§ 52.3660 Color of sugarcane molasses.
(a) The color classification of sugarcane molasses is determined by means of the U. S. D. A. permanent glass color standards for sugarcane molasses as outlined in this subpart.

(b) Partially crystallized sugarcane molasses is liquefied by heating to approximately 54.4° C. (130° F.) and cooled to approximately 20° C. (68° F.) before ascertaining the color of the molasses by means of the U. S. D. A. permanent glass color standards for sugarcane molasses.

§ 52.3661 Application of U. S. D. A. permanent glass color standards in classifying the color of sugarcane molasses.—
(a) Sample containers. The sample containers for use in making the visual color determination, as set forth in this subpart, are cells of colorless optical glass or plastic having an internal width of 0.100 inch with outside dimensions of approximately 17/16 inches by 3½ inches.

(b) Comparator; viewing box. The comparator or viewing box for the entire color range in the visual comparison test is divided into five compartments. Each compartment is provided with openings approximately 1% inches square in the two parallel sides. The U. S. D. A. permanent glass color standards are mounted in a fixed position in the front openings of compartments 1, 3, and 5 of the comparator, compartments 2 and 4 being adapted to receive the sample containers.

(c) Cloudy suspensions. Three cloudy suspensions are required. These are referred to as "Cloudy A," "Cloudy B," and "Cloudy C," corresponding to varying degrees of cloudiness in sugarcane motained in capped square bottles of colorless, transparent glass having an internatividth at the center of 3.15 centimeters (1.24 inches), with outside base dimensions of approximately 1½ inches by 1½ inches, having a capacity of two fluid ounces.

(d) Visual comparison test. The color of a sample of sugarcane molasses is compared with the U. S. D. A. permanent glass color standards in the following manner to determine its color classification:

(1) Place the sample of sugarcane molasses in a clean, dry sample container.

(2) Place the container filled with the sample successively in compartments 2 and 4 of the comparator and visually compare the color of the sample with that of each of the glass color standards by looking through them at a diffuse source of natural or artificial daylight.

(3) If the sample is appreciably cloudy in appearance, place a suspension of comparable cloudiness (cloudy A, cloudy B, or cloudy C) behind the permanent glass color standard to facilitate color classification.

§ 52.3662 Brix solids. Brix solids means the solids content of sugarcane molasses or the Brix value as determined by the double dilution method by means of a Brix hydrometer corrected to 20° C. (68° F.).

§ 52.3663 Ash. Percent ash means the ash content of sugarcane molasses determined as sulfated ash as outlined in the Official Methods of Analysis of the Association of Official Agricultural Chemists.

§ 52.3664 Sulfur dioxide, p. p. m. Sulfur dioxide, p. p. m., means the total sulfites determined by the Monier-Williams method calculated as parts per million of sulfur dioxide (SO₂).

§ 52.3665 Reducing sugars. The percent of reducing sugars is determined by the Lane-Eynon volumetric method for reducing sugars.

§ 52.3666 Sucrose. The percent of sucrose is determined by the Clerget or double polarization method, using invertase as the inverting agent.

§ 52.3667 Total sugar. The percent of total sugar is the sum of the percent of reducing sugars and the percent of sucrose.

§ 52.3668 Methods of analysis. The analyses indicated in this subpart shall be made in accordance with methods of analysis given in Official Methods of Analysis of the Association of Official Agricultural Chemists or by any other means which give equivalent results.

LOT INSPECTION AND CERTIFICATION

§ 52.3669 Ascertaining the grade of a lot. The grade of a lot of sugarcane molasses covered by the standards in this subpart is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables and processed products thereof and certain other processed products (§§ 52.1 to 52.87; 22 F. R. 3535).

SCORE SHEET

§ 52.3670 Score sheet for sugarcane

Size and kind of container

Container mark or ic Latel. Vieuum (inches) Vieuum (inches) Volume (liquid meas USDA Color Brix solids, percent Reducing sugars, per Sucrose, percent Total sugar, percent Ash, percent SO ₂ , p. p. m	ure)				
Factors	Factors Score points				
Color	40	(A) (B) (C) (SStd.)	36-40 1 32-35 1 28-31 1 0-27		
Flavor	40	(A) (B) (C) (SStd.)	36-40 1 32-35 1 28-31 1 0-27		
Defects	20	(A) (B) (C) (SStd.)	18-20 1 16-17 1 14-15 1 0-13		
Total score	100				
				i	

¹ Indicates limiting rule.

Grade____

Dated: August 29, 1958.

[SEAL] F. R. BURKE,

Acting Deputy Administrator,

Marketing Services.

[F. R. Doc. 58-7141; Filed, Sept. 3, 1958; 8:54 a. m.]

[7 CFR Part 990]

[Docket No. AO-302]

HANDLING OF MILK IN SOUTHEASTERN NEW ENGLAND MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS TO RECOMMENDED DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of

No. 173----3

marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to a proposed marketing agreement and order regulating the handling of milk in the Southeastern New England marketing area, which was issued August 15, 1958 (23 F. R. 6465; F. R. Doc. 58-6755), is hereby further extended to September 19, 1958.

Dated: August 29, 1958.

[SEAL] F. R. BURKE,
Acting Deputy Administrator.

[F. R. Doc. 58-7140; Filed, Sept. 3, 1958; 8:54 a. m.]

Commodity Stabilization Service I 7 CFR Part 728 1

WHEAT MARKETING QUOTA REGULATIONS

NOTICE OF PROPOSED RULE MAKING

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1335, 1373, 1375), the Secretary of Agriculture is preparing to amend regulations governing the provision in the wheat marketing quota regulations relative to § 728.879 (b). It is proposed that for the 1959 and subsequent crops that with respect to storage of farm marketing excess, the substitution of any stored excess wheat of a previous crop by wheat of a current crop will not be permitted.

Prior to issuing the regulations, consideration will be given to data, views and recommendations pertaining there to which are submitted to the Director, Grain Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than thirty days after the date of publication of this notice in the Federal Register.

Issued at Washington, D. C., this 28th day of August, 1958.

[SEAL]

CLARENCE L. MILLER, Acting Administrator.

[F. R. Doc. 58-7144; Filed, Sept. 3, 1958; 8:55 a. m.]

[7 CFR Part 730]

RICE

NOTICE OF FORMULATION OF PRODUCER AND FARM ACREAGE ALLOTMENT REGULATIONS FOR 1959 AND SUBSEQUENT CROP YEARS

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1352, -1353, 1354, 1377), the Secretary is preparing to formulate and issue regulations for the

establishment of producer and farm acreage allotments for the 1959 and subsequent crops of rice.

It is expected that the regulations referred to herein will be issued on a continuing basis and will be substantially the same as the regulations pertaining to producer and farm acreage allotments and normal yields for the 1958 crop of rice (22 F. R. 8477), and amendments thereto, except (1) changes which are necessary for further clarification; (2) omission of provisions for establishing normal yields, which are included in the rice marketing quota regulations for 1958 and subsequent crop years (23 F. R. 2897); and (3) changes which are necessary to incorporate the provisions of Public Law 85-443, approved June 4, 1958, which provides that the Secretary may determine that a State may be divided into two administrative areas to be "producer administrative designated area" and "farm administrative area," respectively, which areas shall be separated by a natural barrier which would prevent each from being readily accessible to rice producers in one area for producing rice in the other area, and each such area shall be composed of whole counties. The law provides that the part of the State acreage allotment apportioned to the producer administrative area shall be apportioned on the basis of the past production of rice by producers, and county allotments in the farm producer area shall be apportioned on the basis of the past production of rice on farms.

Because of the interest engendered as a result of the enactment of Public Law 85-443, a hearing will be conducted beginning promptly at 10:30 a.m. on September 18, 1958, in the Agricultural Auditorium, Rapides County (Parish) Courthouse, on Murray Street, in Alexandría, Louisiana, in order that interested persons may have an opportunity to express their views on the establishment of administrative areas within the State of Louisiana, and on any change in the regulations for establishing allotments for the 1958 crop of rice which may be necessary or desirable in the event administrative areas are established for 1959 in the State.

Prior to the issuance of the regulations referred to herein, and in addition to views expressed at the hearing, any data, views, or recommendations pertaining thereto which are submitted in writing to the Director, Grain Division, Commodity Stabilization Service, United States Department of Agriculture, Washington 25, D. C., will be given consideration, provided that such submissions are postmarked not later than 30 days from the date of publication of this notice in the Federal Register.

Issued this 28th day of August 1958.

[SEAL] CLARENCE L. MILLER, Acting Administrator.

[F. R. Doc. 58-7145; Filed, Sept. 3, 1958; 8:55 a. m.]

NOTICES

DEPARTMENT OF HEALTH, EDU-CATION, AND WELFARE

Public Health Service

LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U. S. C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from April 16, 1958, to July 15, 1953, inclusive.

These lists are supplementary to the lists of licensed establishments and products in effect on April 15, 1958, and published on July 19, 1958, in 23 F. R. 5512.

ESTABLISHMENT LICENSES ISSUED

Establishment	License No.	Date
Community Blood Bank of the Kansas City Area, Inc., Kansas City, Mo Delta Blochemicals, Inc., San Antonio, Tex. Lans County Blood Bank, Eugene, Oreg. J. K. and Susie L. Wadley Research Institute and Blood Bank, Dallas, Tex. Interstate Blood Bank, Inc. of Chicago, Ill., Chicago, Ill. Potter County Memorial Blood Center, Inc., Amarillo, Tex.	302 303 304 167 305 246	4-25-58 5-2-58 5-20-58 5-29-58 6-11-58 6-25-58

Pror	OUCT LICENSES ISSU	ED.	
Product	Establishment	License No.	Date
Bacterial Vaccine made from Gonococcus. Bacterial Vaccine	Hollister-Stier Laboratories.	10	4-24-58 4-24-58
made from Streptococcus. Citrated Whole			,
Citrated Whole Blood (Human),	Community Blood Bank of the Kansas City Area, Inc.	302	4-25-58
Antihemophilic Plasma (Human).	Michael Reesa Research Foundation	113	4-29-58
Anti-Human Serum.	Delta Biochemi- cals, Inc. Blood Grouping	303	5-2-53
Absorbed Anti-A Serum.	Boston, Inc.	159	5-20-58
Anti-Fy* Serum (Anti-Duffy).	do		5-20-58
Citrated Whole Blood (Human).	Lane County Blood Bank.	304	5-20-58
Anti-Rh Typing Serum, Anti-hr Typing Serum (Anti-e).	Hyland Labor- atories.	140	6-10-58
(Anti-e). Citrated Whole Blood (Human).	Interstate Blood Bank, Inc. of Chicago, Illi- nois.	305	6-11-53
Anti-A Blood Grouping Serum.	Hospital Univer- sity of Penn- sylvania Blood	289	7-10-58
Anti-B Blood Grouping Se- rum.	Bank.	*******	7-10-53
Anti-A,B Blood Grouping Se- rum.	do		7-10-58
Anti-Human Se- rum. Packed Red Blood	qo		7-10-58
Cells (Human).	Tacoma-Pierce County Blood Bank.	202	7-10-58
Single Donor Plasma (Human).	do		7-10-53
Fibrinolysin (Human).	Ortho Pharma- ceutical Cor-	156	7-14-58
Normal Serum Albumin (Human).	poration. Connaught Medical Research Laboratories.	73	7-14-58

ESTABLISHMENT LICENSES REVOKED

License Date

Establishment

		No.	
J. K. and Susie L. Wadley Research Institute and Blood Center. Potter County Memorial Blood Center.		167 246 CED	5-29-53 6-25-53
Product	Establishment	License No.	Date
Bacterial Antigen made from Streptococcus. Bacterial Vaccine	Rogatol Pharma- ceutical Co. Bureau of Bio-	177 120	4-16-58 5-20-58
made from Paratyphoid Bacillus A.	logic Products, Division of Laboratories, Illinois De- partment of Public Health.	120	0 20 00
Bacterial Vaccine made from Paratyphoid Bacillus B.	do		5-20-58
Bacterial Vaccine made from Typhold Bacil- lus.	do		5-20-58
Schick Test Con- trol.	do		5-20-58
Rabies Vaccine	Wyeth Labora- tories, Inc.	- 144	5-22-58

Approved: August 8, 1958.

ISEALI RODERICK MURRAY, M. D.
Director, Division of Biologics
Standards, National Institutes.
of Health, Public Health Service, U. S. Department of
Health, Education, and Welfare.

Approved: August 20, 1958.

MARY REGAN Ross, Acting Assistant to the Surgeon General for Information, Public Health Service, U. S. Department of Health, Education, and Welfare.

[F. R. Doc. 58-7121; Filed, Sept. 3, 1958; 8:50 a. m.]

Social Security Administration

PAYMENT OF OLD-AGE, SURVIVOR, AND DISABILITY INSURANCE BENEFITS

TREATY OBLIGATIONS OF UNITED STATES

Section 202 (t) (1) of the Social Security Act (42 U. S. C. 402 (t) (1)) provides that, notwithstanding any other provision of title II of the act, no monthly benefits shall be paid under said title to any individual not a citizen or national of the United States for any month after the sixth consecutive month during all of which the Secretary of Health, Education, and Welfare, finds such individual is outside the United States and prior to the first month thereafter for all of which such individual has been in the United States.

Section 202 (t) (3) of the Act (42 U. S. C. 402 (t) (3)) provides that section 202 (t) (1) shall not apply in any case in which its application would be contrary to any treaty obligation of the United States in effect on August 1, 1956.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered treaties entered into between the United States and foreign countries together with information presented by the Department of State with respect to such treaties; and on the basis of such treaties and information the Commissioner of Social Security hereby finds and determines as follows:

1. That the Treaties of Friendship, Commerce, and Navigation now in force between the United States, on the one hand, and the Federal Republic of Germany, Greece, the Republic of Ireland, Israel, Italy, Japan, and Nicaragua, respectively, on the other, created treaty obligations in effect on August 1, 1956, precluding the application of section 202 (t) (1) of the Act to citizens of such countries;

countries;
2. That the Treaty of Friendship,
Commerce, and Navigation now in force
between the United States and the Kingdom of the Netherlands created treaty
obligations in effect on August 1, 1956,
precluding the application of section 202
(t) (1) of the Act to citizens of such

country with respect to survivors benefits only;

3. That there was no treaty obligation in effect on August 1, 1956, that would preclude the application of section 202 (t) (1) of the Act to citizens of any country other than those listed above.

[SEAL] W. L. MITCHELL,

Acting Commissioner of

Social Security.

Approved: August 26, 1958.

ARTHUR S. FLEMMING, Secretary of Health, Education, and Welfare.

[F. R. Doc. 58-7122; Filed, Sept. 3, 1958; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order 169-58]

DIRECTOR OF THE FEDERAL BUREAU OF IN-VESTIGATION AND COMMISSIONER OF IMMIGRATION AND NATURALIZATION

DELEGATION OF AUTHORITY TO MAKE CERTAIN CERTIFICATES

By virtue of the authority vested in me by section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261; 3 CFR, 1950 Supp., p. 164), I hereby delegate to the Director of the Federal Bureau of Investigation and the Commissioner of Immigration and Naturalization the authority vested in the Attorney General by sections 5 and 6, respectively, of the act of July 28, 1950, 64 Stat. 380 (5 U. S. C. 341c and 341d), to make certificates with respect to expenses of unforeseen emergencies of a confidential character: *Provided*, That each such certificate made by the Director of the Federal Bureau of Investigation or by the Commissioner of Immigration and

Attorney General.

Dated: August 25, 1958.

WILLIAM P. ROGERS. Attorney General.

[F. R. Doc. 58-7131; Filed, Sept. 3, 1958; 8:53 a. m.1

POST OFFICE DEPARTMENT

ORGANIZATION AND ADMINISTRATION

MISCELLANEOUS AMENDMENTS

Federal Register Document 58-4353, appearing on pages 4010 to 4018, inclusive, of the issue for June 7, 1958, as amended (23 F. R. 5278-5281), is further amended as follows:

a. Amend section 821.7, Judicial Officer, to read as follows:

821.7-JUDICIAL OFFICER

- 1. Amend section 821.7, Judicial Offithe Postmaster General, who acts for the Postmaster General in the performance of quasi-judicial functions having delegated authority from the Postmaster General to-
- (1) Execute final departmental decisions and orders in administrative proceedings arising from alleged violation of postal laws and disputes over secondclass permits conducted in accordance with the rules of practice and procedures of the Department; and modify, suspend, or rescind any action heretofore taken or hereafter taken pursuant to a delegation of authority.
- (2) Preside at the reception of evidence in proceedings where expedited hearings are requested by either party or provided in Rules of Practice.
- (3) Revise or amend the Post Office Department Rules of Practice for administrative hearings.
- b. Decisions and orders of the Judicial Officer made under the delegated authority are the final departmental action from which there is no further administrative remedy or appeal. The Judicial Officer does not supervise or exercise control over any officer, employee or organization in the Post Office Department except as provided in 821.7 (c). He is responsible only to the Postmaster General and the Deputy Postmaster General. The Office of the General Counsel and the Bureau of the Chief Postal Inspector do not participate in or advise as to the decisions of the Judicial Officer in any proceeding. The Judicial Officer may refer any proceeding to either the Postmaster General or the Deputy Postmaster General for final
- c. Exercises administrative supervision over the Division of Hearing Examiners and the Docket Clerk but does not direct or participate in the Initial Decision of the Hearing Examiner in any proceeding.
- 2. Amend section 821.8, Division of Hearing Examiners, to read as follows:

821.8-DIVISION OF HEARING EXAMINERS

a. Hearing examiners are appointed and qualified in the manner prescribed by law (5 U.S. C. 1010). They preside

Naturalization shall be approved by the at administrative hearings in cases involving alleged violations of postal laws or conflicts arising over second-class mail permits.

b. Examiners prepare initial decisions in those cases which become final departmental decisions, unless an appeal is taken to the Judicial Officer.

- c. The Division of Hearing Examiners and the Docket Clerk are under the jurisdiction of the Judicial Officer for administrative supervision in the same manner as are Hearing Examiners assigned to independent regulatory commissions.
- 3. Amend paragraph a of section 822.2, General Counsel, to read as follows:
- a. Serves as legal adviser to the Postmaster General, the Deputy Postmaster General, and the entire Postal Establishment with respect to legal interpreta-tions and opinions; drafting or approving legal documents; and conduct of administrative hearings before regulatory agencies of the Federal Government and court proceedings on behalf of the Department. He does not advise or consult with the Judicial Officer or the Hearing Examiners with respect to their performance of the duties and functions assigned to them under sections 821.7 and 821.8 except in the disposition of ex parte matters as authorized by law, nor does he participate in the decisions of the Judicial Officer or Hearing Examiners.
- (R. S. 161, as amended, 396, as amended; sec. 1 (b), 63 Stat. 1066; 5 U.S. C. 22, 133z-15, 369)

LEO G. KNOLL, Acting General Counsel.

The foregoing amendments to the Department's Organization are hereby adopted.

E. O. Sessions, Acting Postmaster General.

[F. R. Doc. 58-7190; Filed Sept. 3, 1958; 9:32 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSOURI

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the following counties in the State of Missouri a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSOURI

Livingston. Caldwell. Miller. Camden. Montgomery. Chariton. Cedar. Ralls. Randolph. Cole. Dade. St. Clair. Linn. Vernon.

Pursuant to the authority set forth above, production emergency loans will

not be made in the above-named counties after June 30, 1959, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 29th day of August 1958.

TRUE D. MORSE, Acting Secretary.

[F. R. Doc. 58-7124; Filed, Sept. 3, 1958; 8:51 a. m.]

DEPARTMENIT OF COMMERCE

Office of the Secretary

FEDERAL HIGHWAY ADMINISTRATOR

AMENDED DELEGATION OF AUTHORITY WITH RESPECT TO NEGOTIATION OF CERTAIN CONTRACTS FOR SERVICES IN CONNECTION WITH BUREAU OF PUBLIC ROADS PRO-GRAMS

This material supersedes the materials on the same subject dated September 27. 1957 (22 F. R. 8071 of October 10, 1957) and October 9, 1956 (21 F. R. 8090 of October 20, 1956).

Pursuant to the authority vested in the Secretary of Commerce by Reorganization Plan No. 5 of 1950 and in accordance with delegations from the Administrator. General Services Administration to the Secretary of Commerce, on the above subject, the Federal Highway Administrator is hereby authorized to negotiate. without advertising, under sections 302 (c) (4) and (9) of the Federal Property and Administrative Services Act of 1949, as amended, contracts for professional engineering and accounting services and contracts with qualified individuals, or firms, for appraisal services deemed necessary by the Bureau of Public Roads in the administration of the accelerated highway program.

The authority delegated herein, which expires at the close of business on June 30, 1959, shall be exercised in accordance with applicable limitations and requirements of the Federal Property and Administrative Services Act of 1949, as amended, particularly Sections 304 and 307 thereof, and in accordance with policies, procedures and controls prescribed by the General Services Administration.

The authority delegated herein may be redelegated to such officers or employees as the Federal Highway Administrator may deem necessary.

Dated: August 26, 1958.

WALTER WILLIAMS, Acting Secretary of Commerce.

[F. R. Doc. 58-7091; Filed, Sept. 3, 1958; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8569 et al.]

NEW YORK AIRWAYS CERTIFICATE RENEWAL CASE

NOTICE OF POSTPONEMENT AND CHANGE OF PLACE OF HEARING

Notice is hereby given that the hearing in the above-entitled proceeding heretofore scheduled to be held on September 15, 1958, at Washington, D. C., is postponed until October 6, 1958, at 10:00 a. m. (eastern daylight time) and assigned to be held in Room 705, 45 Broadway, New York City, New York, before Examiner Ferdinand D. Móran.

Dated at Washington, D. C., August 28, 1958.

[SEAL]

THOMAS L. WRENN, Associate Chief Examiner.

[F. R. Doc. 58-7148; Filed, Sept. 3, 1958; 8:56 a. m.]

[Docket Nos. 8960, 9024]

PACIFIC NORTHWEST-HAWAII RENEWAL CASE

NOTICE OF HEARING

Notice is hereby given that the hearing in the above-entitled proceeding is assigned to begin on October 21, 1958 at 10:00 a. m. (Pacific standard time) in Room 117, Federal Office Building, First Avenue and Madison Street, Seattle, Washington, before Examiner Ferdinand D. Moran for the purpose of receiving the evidence of the civic parties and is to be recessed upon completion thereof for further hearing before the same examiner on November 3, 1958 at 10:00 a.m. (eastern standard time) in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., to receive the evidence of the carrier applicants, Pan American and Northwest Airlines.

Dated at Washington, D. C., August 28, 1958.

[SEAL]

THOMAS L. WRENN, Associate Chief Examiner.

[F. R. Doc. 58-7147; Filed, Sept. 3, 1958; 8:56 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3632 etc.]

KIRBY PETROLEUM CO. AND CONTINENTAL OIL Co.

NOTICE OF APPLICATIONS FOR CERTIFICATES/ OF PUBLIC CONVENIENCE AND NECESSITY. APPLICATIONS TO ABANDON SERVICE, AND DATE OF HEARING

AUGUST 28, 1958.

In the matters of Kirby Petroleum Company, Docket No. G-3632; Continental Oil Company, Docket Nos. G-6589 and G-8657.

Take notice that each of the above designated parties has filed applications for certificates of public convenience and necessity, and/or applications to abandon service pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas or abandonment of service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open to public inspection.

Kirby Petroleum Company (Kirby) filed on September 29, 1954, an application in Docket No. G-3632 for a certificate of public convenience and necessity authorizing the continued sale of natural gas in interstate commerce for resale.

The gas was produced from the Mary Hoffman lease in the Hope Field, Lavaca County, Texas and the gas produced was being sold to Tennessee Gas Transmission Company on June 7, 1954. Subsequently, by instrument executed on December 20, 1954, Kirby transferred the properties involved to Continental Oil Company (Continental), who took physical possession of said properties on January 1, 1955 subject to the existing sales

Thereafter, on March 31, 1955, Continental Oil Company filed its application in Docket No. G-8657 for a certificate of public convenience and necessity authorizing Continental to make the sale formerly made by Kirby as described above. Continental adopted Kirby Petroleum Company's FPC Gas Rate Schedule No. 1 as its own, the Commission designating it as Continental Oil Company FPC Gas Rate Schedule No. 121. On October 29, 1956, Continental filed an amendment to its application requesting authority to abandon the service described above, reciting that the one well on the property involved was no longer capable of producing into the pipe line, that no other formation appeared productive and that on August 6, 1956 the well had been plugged and abandoned. Continental [F. R. Doc. 58-7132; Filed, Sept. 3, 1958; interpreted the lease as having expired by virtue of these circumstances.

On October 29, 1956 Continental also filed a notice of termination of its related Rate Schedule No. 121. By letter sent July 30, 1957, Continental was advised that said notice of termination was accepted for filing to be effective upon the date of issuance of abandonment authorization.

On November 30, 1954, Continental filed its application in Docket No. G-6589 for a certificate of public convenience and necessity authorizing the continued sale in interstate commerce for resale of natural gas produced from the Arcadia Guerro, et al., and the Richard King, et al., leases in the Los Indos Field, Hidalgo County, Texas, to Tennessee Gas Transmission Company. Thereafter, on September 15, 1955 Continental filed an amendment to its application requesting authority to abandon this service, reciting that all present producing wells had been plugged and abandoned, no further production was anticipated and that Continental interpreted the leases as having expired by virtue of these circumstances. On September 22, 1955 Continental filed its notice_of termination for its related Continental Oil Company FPC Gas Rate Schedule No. 1, which covered such sale of gas from the two leases. By letter sent October 17. 1955. Continental was advised that said notice of termination was accepted for filing to be effective upon the date of issuance of abandonment authorization.

These related matters should be heard on a consolidated record and disposed of as rapidly as possible under the applicable rules and regulations and to that

Take further notice that, pursuant to the authority contained in and subjectto the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the

Commission's rules of practice and procedure, a hearing will be held on September 30, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 23, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

JOSEPH H. GUTRIDE,

8:53 a. m.1

[Docket No. G-62601 EDWIN M. JONES OIL CO.

NOTICE OF HEARING

AUGUST 28, 1958.

In the matter of Henrietta Yerger Jones, d/b/a Edwin M. Jones Oil Company, Docket No. G-6260.

By notice dated March 2, 1955, the

hearing in the above-designated matter was postponed without date, subject to further notice.

Take notice that, pursuant to the authority contained in and subject to the iurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure thereunder, a hearing will be held on, September 26, 1958 at 9:30 a.m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by the application in Docket No. G-6260.

- JOSEPH H. GUTRIDE. **ISEAL**

Secretary. [F. R. Doc. 58-7133; Filed, Sept. 3; 1958; 8:53 a.m.]

[Docket No. G-14230]

. CONTINENTAL OIL CO.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 28, 1958.

Take notice that Continental Oil Company (Applicant), filed an application on January 10, 1958 pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon natural

gas service, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant seeks permission and approval to abandon the sale of natural gas to Texas Gas Pipeline Corporation (Texas Gas), from Applicant's East Beaumont Townsite Company lease, located in the North Port Neches Field, Orange County, Texas, which sale was previously authorized on January 28, 1957, in Docket No. G-8601.

Applicant states that the only well on its subject lease was shut-in on November 23, 1956, due to salt water encroachment; that no economic recompletion possibilities were evident and abandonment procedures were completed August 19, 1957 and that it surrendered the lease by a release dated August 28, 1957.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 30, 1958 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.3 or 1.10) on or before September 22, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAT.]

Joseph H. Gutride, Secretary.

[F. R. Doc. 58-7134; Filed, Sept. 3, 1958; 8:53 a.m.]

[Docket No. G-15292]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 28, 1958.

Take notice that Mississippi River Fuel Corporation (Applicant), filed an application on June 13, 1958, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas in interstate commerce as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant seeks authority to sell natural gas in interstate commerce to Panhandle Eastern Pipeline Company, for resale from production in the Lerado Field, Reno County, Kansas, pursuant to a gas sales contract dated April 28, 1958.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 30, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, Secretary.

[F. R. Doc. 58-7135; Filed, Sept. 3, 1958; 8:54 a. m.]

[Docket No. G-14842] SUPERIOR OIL Co.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 28, 1958.

In the matter of Superior Oil Company (by Operator, Pan American Petroleum Corporation), Docket No. G-14842.

Take notice that Pan American Petroleum Corporation (Operator) (Pan American), filed an application on April 7, 1958, on behalf of Superior Oil Company (non-operator), (Superior), for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas in interstate commerce as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application

which is on file with the Commission and open to public inspection.

By the application filed herein, Superior seeks authority to sell natural gas in interstate commerce to United Fuel Gas Company for resale from production of its interests in the Shallow Sands Gas Unit, South Pecan Lake Field, Cameron Parish, Louisiana, pursuant to a letter agreement dated December 28, 1956, to which it is a signatory party, dedicating its gas to a basic contract dated May 27, 1952, as amended, between Pan American, seller and United Fuel Gas Company, buyer.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act. and the Commission's rules of practice and procedure, a hearing will be held on September 30, 1958 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dispose of the pro-ceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission; Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision pressure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, Secretary.

[F. R. Doc. 58-7136; Filed, Sept. 3, 1958; 8:54 a. m.]

[Docket No. G-13460]
ANDERSON-PRITCHARD OIL CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 28, 1958.

Take notice that Anderson-Pritchard Oil Corporation (Operator) (Applicant) filed an application on October 16, 1957, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the sale of natural gas in interstate commerce, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission.

Applicant seeks authority to sell natural gas in interstate commerce to

Southern Union Gathering Company (Gathering Company) produced from its Sadie West #1 well in Blanco-Mesaverde Field, San Juan County, New Mexico.

Applicant's interest in the gas produced from the subject well will be sold pursuant to a gas sales contract dated September 9, 1957, executed by and between Southern Union Gas Company (Gas Company) and Applicant. By instrument executed November 5, 1957 by Gas Company, it assigned the September 9, 1957 contract to Gathering Company.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and

to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 30, 1958 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised; it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

JOSEPH H. GUTRIDE, Secretary.

[F. R. Doc. 58-7137; Filed, Sept. 3, 1958; 8:54 a. m.]

[Docket No. G-16032 etc.]
JESSE M. BROOKS ET AL.

ORDER FOR HEARINGS, SUSPENDING PROPOSED CHANGES IN RATES, AND ALLOWING IN-CREASED RATES TO BECOME EFFECTIVE

AUGUST 27, 1958.

In the matters of Jesse M. Brooks, et al., Docket No. G-16032; R. S. Barnwell, Jr. (Operator), Docket No. G-16037; J. C. Trahan (Operator), et al., Docket No. G-16045; M. P. O'Meara, et al., Docket No. G-16046; Max Pray (Operator), et al., Docket No. G-16065; H. S. Cole, Jr., et al., Docket No. G-16063.

The proposed changes hereinafter

The proposed changes hereinafter designated, which constitute increases of the rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the

Commission, have been tendered for filing by the persons named above (Respondents). The effective date of the suspensions shall be August 1, 1958 (effective date is the date proposed by Respondents).

On July 31, 1958, Jesse M. Brooks, et al. tendered a Notice of Change, dated July 29, 1958, which was designated as Supplement No. 1 to Brooks' FPC Gas Rate Schedule No. 1. Arkansas Louisiana Gas Company is the purchaser under the schedule.

purchaser under the schedule.
On July 31, 1955, R. S. Barnwell, Jr. (Operator) tendered a Notice of Change, dated July 29, 1958, which was designated as Supplement No. 2 to Barnwell's FPC Gas Rate Schedule No. 1. Arkansas Louisiana Gas Company is the purchaser under the schedule.

On July 31, 1958, J. C. Trahan (Operator), et al. tendered an undated Notice of Change which was designated as Supplement No. 4 to Trahan's FPC Gas Rate Schedule No. 3. Arkansas Louisiana Gas Company is the purchaser under the schedule.

On July 31, 1953, J. S. Rushing tendered an undated Notice of Change which was designated as Supplement No. 4 to Rushing's FPC Gas Rate Schedule No. 1. Arkansas Louisiana Gas Company is the purchaser

under the schedule.
On July 31, 1958, M. P. O'Meara et al. tendered a Notice of Change, dated July 29, 1958, which was designated as Supplement, No. 1 to O'Meara's FPC Gas Rate Schedule No. 2. Southern Natural Gas Company is the purchaser under the schedule.

On August 1, 1958, Max Pray (Operator), et al. tendered a Notice of Change, dated July 31, 1958, which was designated as Supplement No. 1 to Pray's FPC Gas Rate Schedule No. 1. Southern Natural Gas Company is the purchaser under the schedule.

On July 29, 1958, H. S. Cole, Jr., et al. tendered an undated Notice of Change, which was designated as Supplement No. 3 to Cole's FPC Gas Rate Schedule No. 3. Texas Gas Transmission Corporation is the purchaser under the schedule.

The increased rates and charges proposed in each said Notice of Change are intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill 303), as approved on July 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refunds in the event of said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rates and charges until August 2, 1958, and thereafter to permit them to become effective as of that date; provided, that within 20 days from the date of this order each Respondent shall file with the Secretary of the Commission an appropriate undertaking to assure such refunds as may be ordered.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of each of the said proposed changes, and that the supplements herein designated

be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Respondent's proposed increased rates be made effective as hereinafter provided and that each Respondent be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in each of the supplements to Respondents' FPC Gas Rate Schedules as herein designated.

(B) Pending such hearings and decisions thereon, each of said supplements be and each is hereby suspended and the use thereof deferred until August 2, 1958, and until such further time as each is made effective in the manner hereinafter

prescribed.

(C) The rate, charge, and classification set forth in each of the aforementioned supplements to Respondents' FPC Gas Rate Schedules shall be effective as of August 2, 1958: Provided, however, That within 20 days from the date of this order, each Respondent shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Each Respondent shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the difference be-tween the presently effective rates and charges and the proposed increased rates and charges hereby allowed to become effective in the event the additional tax of one cent per Mcf levied by the State of Louisiana is for any reason held to be invalid. Should such additional tax eventually be held invalid and the State of Louisiana makes refund, with interest, of the tax monies collected pursuant to the said Act No. 8 of 1958, then, and in that event, a proportionate part of the interest so received by the Respondents herein shall be passed on and paid to the persons entitled thereto at such times and in such amounts and in such manner as may be required by final order of the Commission. Respondents shall bear all costs of any such refunding: shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and four copies), in writing and under oath, to the Commission quarterly, or monthly if Respondents so elect, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the dates upon which the increased rates

allowed by this order become effective, and under the rates allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, each Respondent shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, and accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved, as follows:

Agreement and Undertaking of ______to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Changes

In conformity with the requirements of the order issued _____, in Docket No. G-____, hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and for said purpose has executed this agreement and undertaking this _____ day of _____.

Witness:

Ву _____

Unless a Respondent is advised to the contrary, within 15 days after the date of filing such agreement and undertaking, his agreement and undertaking shall be deemed to have been accepted.

(F) Each Respondent who, in conformity with the terms and conditions of paragraph (D) of this order, makes such refunds as may be required by order of the Commission, shall be discharged of his undertaking; otherwise, it shall remain in full force and effect.

(G) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until the period of suspenison have expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL]

MICHAEL J. FARRELL, Acting Secretary.

[F. R. Doc. 58-7098; Filed, Sept. 3, 1958; 8:46 a.m.]

[Docket No. G-16040 etc.]

M. ASCHER ET AL.

ORDER FOR HEARINGS, SUSPENDING PROPOSED CHANGES IN RATES, AND ALLOWING IN-CREASED RATES TO BECOME EFFECTIVE

August 27, 1958.

In the matters of M. Ascher, Docket No. G-16040; Sunray Mid-Continent Oil Company (Operator), et al., Docket No. G-16041; Rycade Oil Corporation, Docket No. G-16047; Austin E. Stewart, et al., Docket No. G-16048. The proposed changes hereinafter

The proposed changes hereinafter designated, which constitute increases of the rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission, were tendered for filing on August 4, 1958, by the persons named

above (Respondents). The effective date of the suspensions shall be September 4, 1958 (effective date is the first day after expiration of the required thirty days' notice).

Respondent: M. Ascher.

Description: Notice of Change, dated August 1, 1958.

August 1, 1958.
Purchaser: Hassie Hunt Trust.

Rate schedule designation: Supplement No. 4 to Ascher's FPC Gas Rate Schedule No. 4.

Respondent: Sunray Mid-Continent Oil Company (Operator), et al.

Description: Notice of Change, dated July 29, 1958.

Purchaser: Arkansas Louisiana Gas Company.

Rate schedule designation: Supplement No. 4 to Sunray's FPC Gas Rate Schedule No. 46.

Respondent: Rycade Oil Corporation.
Description: Notice of Change, undated.
Purchaser: United Gas Pipe Line Company.
Rate schedule designation: Supplement
No. 1 to Rycade's FPC Gas Rate Schedule
No. 1.

Respondent: Austin E. Stewart, et al. Description: Notice of Change, undated. Purchaser: Arkansas Louisiana Gas Company.

Rate schedule designation: Supplement No. 5 to Stewart's FPC Gas Rate Schedule No. 2.

The increased rates and charges proposed are intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refunds in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rates and charges until September 5, 1958, and thereafter to permit them to become effective as of that date: Provided, That within 20 days from the date of this order each Respondent shall file with the Secretary of the Commission an appropriate undertaking to assure such refund as may be ordered.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of each of the said proposed changes, and that the supplements herein, designated be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Respondents' proposed increased rates be made effective as hereinafter provided and that each Respondent be required to File an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regula-

tions under the Natural Gas Act (18 CFR, Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in each of the supplements to Respondents' FPC Gas Rate Schedules as herein designated.

(B) Pending such hearings and decisions thereon, each of said supplements be and each is hereby suspended and the use thereof deferred until September 5, 1958, and until such further time as each is made effective in the manner hereinafter prescribed.

(C) The rate, charge, and classification set forth in each of the aforementioned supplements to Respondents' FPC Gas Rate Schedules shall be effective as of September 5, 1958; Provided, however, That within 20 days from the date of this order, each Respondent shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Each Respondent shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the difference between the presently effective rates and charges and the proposed increased rates and charges hereby allowed to become effective in the event the additional tax of one cent per Mcf levied by the State of Louisiana is for any reason held to be invalid. Should such additional tax eventually be held invalid and the State of Louisiana makes refund, with interest, of the tax monies collected pursuant to the said Act No. 8 of 1958, then, and in that event, a proportionate part of the interest so received by the Respondents herein shall be passed on and paid to the persons entitled thereto at such times and in such amounts and in such manner as may be required by final order of the Commission. Respondents shall bear all costs of any such refunding: shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and four copies), in writing and under oath, to the Commission quarterly, or monthly if Respondents so elect, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the dates upon which the increased rates allowed by this order become effective. and under the rates allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, each Respondent shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the board of directors, and accompanied by a certificate showing service of copies thereof upon all purchasers

under the rate schedule involved, as follows:

Agreement and Undertaking of _____to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commis-sion's Order Making Effective Proposed Rate

In conformity with the requirements of the order issued ______, in Docket No. G=_____, hereby agrees and under-takes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this _____ day of

By _____

Attest:

(Secretary)

Unless a Respondent is advised to the contrary 15 days after the date of filing such agreement and undertaking, his agreement and undertaking shall be deemed to have been accepted.

(F) Each Respondent who, in conformity with the terms and conditions of paragraph (D) of this order, makes such refunds as may be required by order of the Commission, shall be discharged of his undertaking: otherwise, it will remain in full force and effect.

(G) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until the periods of suspension have expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL]

MICHAEL J. FARRELL, Acting Secretary.

[F. R. Doc. 58-7099; Filed, Sept. 3, 1958; 8:46 a. m.]

> [Docket No. G-16080] TIDEWATER OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

AUGUST 27, 1958.

Tidewater Oil Company (Tidewater) on July 29, 1958, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, dated July

28, 1958. Purchaser: Texas Illinois Natural Gas Pipeline Company.

Rate schedule designation: Supplement No. 13 to Tidewater's FPC Gas Rate Schedule No. 5. Supplement No. 15 to Tidewater's FPC Gas Rate Schedule No. 18.

Effective date: September 1, 1958 (effective date is the effective date-proposed by Tidewater)_

In support of the proposed redetermined rate increases, Tidewater states that the contracts were negotiated at arm's length and the increased price is fair, just and reasonable. Tidewater further states that the price to be paid during each of the periods provided in the contracts is an integral part of the total consideration for committing the gas for the 20-year terms of such con-

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreason-able, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that-Supplement No. 13 to Tidewater's FPC Gas Rate Schedule No. 5, and Supplement No. 15 to Tidewater's FPC Gas Rate Schedule No. 18, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplement No. 13 to Tidewater's FPC Gas Rate Schedule No. 5, and Supplement No. 15 to Tide-

water's FPC Gas Rate Schedule No. 18. (B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until February 1. 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL. Acting Secretary.

[F. R. Doc. 58-7100; Filed, Sept. 3, 1958; 8:46 a.m.]

[Docket No. G-16082]

KERR-McGEE OIL INDUSTRIES, INC., ET AL. ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Kerr-McGee Oil Industries, Inc. (Operator), et al. (Kerr-McGee), on July G-15668 (Louisiana gathering tax increase).

30, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge. is contained in the following designated filing:

Description: Notice of Change, dated July 29, 1958.

Purchaser: Southern Natural Gas Com-

pany.
Rate schedule designation: Supplement No. 11 to Kerr-McGee's FPC Gas Rate Schedule No. 19.

Effective date: September 1, 1958 (effective date is the effective date proposed by Kerr-

In support of the proposed favorednation rate increase, Kerr-McGee cites the contract favored-nation provision and submits a copy of a letter dated July 23, 1958, from the Southern Natural Gas Company advising that on September 1, 1958, the highest price at which it will purchase gas in the Breton Island Field, Louisiana, will be 20.25¢ per Mcf. Kerr-McGee also states that the contract was negotiated in good faith at arm's length. the increased price is just and reasonable and is designed to compensate seller for developing, drilling, equipping and operating the leases and provides for a fair rate of return on investment.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 11 to Kerr-McGee's FPC Gas Rate Schedule No. 19 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 11 to Kerr-McGee's FPC Gas Rate Schedule No. 19.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

¹Present rates previously suspended and are in effect subject to refund in Docket No. G-12999.

¹Supplement No. 10 to Kerr-McGee's FPC Gas Rate Schedule No. 19 was suspended for 1 day (until August 2, 1958) in Docket No.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner-Hussey dissenting).

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-7101; Filed, Sept. 3, 1958; 8:46 a. m.]

[Docket No. G-16083]

PHILLIPS PETROLEUM Co.

ORDER FOR HEARING AND SUSPENDING-PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Phillips Petroleum Company (Phillips) on July 31, 1958, tendered for filing a proposed change in its presently effective rate schedule ¹ for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated July 29, 1958.

Purchaser: Southern Natural Gas Company.

Rate schedule designation: Supplement No. 11 to Phillips' FPC Gas Rate Schedule No. 219.

Effective date: September 1, 1958 (effective date is the effective date proposed by Phillips).

In support of the proposed favorednation rate increase, Phillips cites the contract favored-nation provision and submits a copy of a letter dated July 23, 1958, from the Southern Natural Gas Company advising that on September 1, 1958, the highest price at which it will purchase gas in the Breton Island Field, Louisiana, will be 20.25¢ per Mcf. Phillips states that the increased price is not unjust nor unreasonable, that producers are entitled to rates which produce fair returns on investment and to allow less would be confiscatory. Phillips also states that the proposed rate compares favorably with other prices in the area and cites initial rates for other sales in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 11 to Phillips' FPC Gas Rate Schedule No. 219 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 11 to Phillips' FPC Gas Rate Schedule No. 219.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner Hussey dissenting).

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-7102; Filed, Sept. 3, 1958; 8:47 a.m.]

[Docket No. G-16084]

BRACKEN OIL CO. ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Bracken Oil Company, (Operator), et al., (Bracken), on August 1, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the purisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated June 27, 1958.

Purchaser: Mississippi River Fuel Corporation.

Rate schedule designation: Supplement No. 8 to Bracken's FPC Gas Rate Schedule No. 1.

Effective date: September 1, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed two-step periodic rate increase, Bracken states that it would not have contracted its interests for such an extended term had it not been assured of a sliding scale of prices designed to afford a reasonably uniform net income during such term. Bracken also states that producers' costs increase with time and age of producing property and compression costs mount in

geometrical proportion to depletion of reserves.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 8 to Bracken's FPC Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 8 to Bracken's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner Hussey dissenting).

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-7103; Filed, Sept. 3, 1958; 8:47 a. m.]

WEIMER AND FITZHUGH [Docket No. G-16085]

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Weimer and Fitzhugh on August 1, 1958, tendered for filing a proposed change in their presently effective rate schedule for the sale of natural gas subject to the jurisciction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated July 28, 1958.

Purchaser: Lone Star Gas Company.

Rate schedule designation: Supplement No. 4 to Weimer and Fitzhugh's FPC Gas Rate Schedule No. 1.

¹ Supplement No. 10 to Phillips' FPC Gas Rate Schedule No. 219 was suspended for 1 day (until August 2, 1958) in Docket No. G-15596 (Louisiana gathering tax increase).

¹A previous increase was suspended in Docket No. G-11515 until April 25, 1957, but a motion to place the suspended rate into effect subject to refund was never filed by Bracken.

Effective date: September 1, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed favorednation rate increase, Weimer and Fitzhugh submits a copy of a letter from the Lone Star Gas Company notifying that effective July 1, 1958, the price of gas it purchases from properties in Big Mineral Creek Field, Grayson County, Texas, would be increased from 12¢ per Mcf to 14¢ per Mcf. Weimer and Fitzhugh cite the contract provisions and state that denial of the increase would be inequitable.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 4 to Weimer and Fitzhugh's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Weimer and Fitzhugh's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed

by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL. Acting Secretary.

[F. R. Doc. 58-7104; Filed, Sept. 3, 1958; 8:47 a. m.]

> [Docket No. G-16087] PAN AMERICAN PETROLEUM CORP.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Pan American Petroleum Corporation (Pan American) on August 1, 1958,

tendered for filing a proposed change in practice and procedure (18 CFR 1.8 and its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated July

Purchaser: Texas Illinois Natural Gas

Pipeline Company.
Rate schedule designation: Supplement No. 9 to Pan American's FPC Gas Rate Schedule No. 51.

Effective date: September 1, 1958 (effective date is the effective date proposed by Pan American).

In support of the proposed redetermined rate increase, Pan American states that the contract was negotiated at arm's length and the increased price is fair, just and reasonable, and that denial thereof would be inequitable, unfair and confiscatory. Pan American cites inflation, the increased costs of labor-and material, increases in drilling costs, and prices under recently negotiated gas sales contracts of other producers in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or other-

wise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 9 to Pan American's FPC Gas Rate Schedule No. 51 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

- (A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 9 to Pan American's FPC Gas Rate Schedule
- (B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.
- (C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.
- (D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the commission's rules of

1.37 (f)).

By the Commission.

[SEAL] MICHAEL J. FARRELL. Acting Secretary.

[F. R. Doc. 58-7105; Filed, Sept. 3, 1958; 8:47 a. m.]

[Docket No. G-16088]

PAN AMERICAN PETROLEUM CORP. (OPERATOR) ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

Pan American Petroleum Corporation, (Operator), et al., (Pan American), on August 1, 1958, tendered for filing a proposed change in its presently effective rate schedule 1 for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated July

28, 1958. Purchaser: Texas Illinois Natural Gas Pipe-

Rate schedule designation: Supplement No. 14 to Pan American's FPC Gas Rate Schedule No. 60.

Effective date: September 1, 1958 (effective date is the effective date proposed by Pan

In support of the proposed redetermined rate increase, Pan American states that the contract was negotiated at arm's length and the increased price. is fair, just and reasonable, and that denial thereof would be inequitable, unfair and confiscatory. Pan American cites inflation, the increased costs of labor and material, increases in drilling costs, and prices under recently negotiated gas sales contracts of other producers in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 14 to Pan American's FPC Gas Rate Schedule No. 60 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 14 to Pan

Present rate previously suspended and is in effect subject to refund in Docket No. G-13063.

¹ Present rate previously suspended and is in effect subject to refund in Docket No. Ğ–13064.

American's FPC Gas Rate Schedule No. 60.

- (B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.
- (C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.
- (D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL]

Michael J. Farrell, Acting Secretary.

[F. R. Doc. 58-7106; Filed, Sept. 3, 1958; 8:47 a. m.]

[Docket No. G-16089]

GENERAL CRUDE OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 27, 1958.

General Crude Oil Company (General Crude) on August 1, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated: Purchaser: West Lake Natural Gasoline Company.

Rate schedule designation: Supplement No. 1 to General Crude's FPC Gas Rate Schedule No. 8.

Effective date: September 1, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increase, General Crude states that the contract was negotiated at arm's length, the increased price is an integral part of such contract, is not in excess of the going price under similar contracts in the same locale and will, in effect, bring the existing price up to par with similar prices of other producers in the area.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to General Crude's FPC Gas Rate Schedule No. 8 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to General Crude's FPC Gas Rate Schedule No. 8.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until September 2, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL]

Michael J. Farrell, Acting Secretary.

[F. R. Doc. 58-7107; Filed, Sept. 3, 1958; 8:47 a. m.]

[Docket No. G-16111]

Sonio Petroleum Co.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATE

AUGUST 27, 1958.

Sohio Petroleum Company (Sohio), on July 28, 1958, tendered for filing a proposed change in its presently effective rate schedule 1 for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated. Purchaser: Texas Illinois Natural Gas Pipeline Company.

Rate schedule designation: Supplement No. 6 to Sohio's FPC Gas Rate Schedule No. 19.

Effective date: September 1, 1958 (effective date is the effective date proposed by Sohio).

In support of the proposed periodic rate increase, Sohio submits a copy of a letter from Texas Illinois Natural Gas Pipeline Company notifying Sohio that in accordance with the contract the price for the second five-year period has been redetermined to consist of a base price of 16.99 cents per Mcf plus applicable tax reimbursement (0.1631 cent). Also, in support of the proposed increase Sohio states that the contract provisions were the result of arm's-length bargaining, the proposed price is not in excess of the

current commodity value of the gas and is a just and reasonable price.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided in §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioner Hussey dissenting).

[SEAL]

Joseph H. Gutride, Secretary.

[F. R. Doc. 58-7108; Filed, Sept. 3, 1958; 8:48 a.m.]

OFFICE OF DEFENSE AND CIVILIAN MOBILIZATION

ASSOCIATE DIRECTOR, ADMINISTRATION

DELEGATION OF AUTHORITY TO NEGOTIATE
CONTRACTS

1. Pursuant to the authority vested in me by General Services Administration Delegation of Authority No. 349 from the Administrator, General Services Administration, dated July 30, 1958, authority is hereby delegated to the Associate Director, Administration (Contracting Officer for the Office of Defense and Civilian Mobilization) to negotiate purchases and contracts for supplies and services without advertising under sections 302 (c) (4), (5), (9), (10), (11), and (12) of the Federal Property and Administrative Services Act of 1949, as amended (41 U. S. C. 252), except the power to make the determinations or decisions specified in paragraphs (11) and (12) of section 302 (c).

¹Present rate previously suspended and is in effect subject to refund in Docket No. G-11512.

2. This authority shall be exercised only with respect to the procurement of those supplies and services which are required in connection with authorized activities, other than administrative programs, conducted by the Office of Defense and Civilian Mobilization.

3. This delegation of authority shall be subject to all limitations and requirements of Title III of the Federal Property and Administrative Services Act of 1949 with respect to negotiated contracts, particularly sections 304, 305 and 307, and shall be exercised in accordance with policies, procedures and controls prescribed by the General Services Administration.

4. The authority herein delegated under section 302 (c) (10) may be exercised only with respect to contracts which will not require expenditure of more than \$25,000, and may not be redelegated.

5. Subject to the provisions of section 4 above, the authority herein delegated may be redelegated to a designee of the Associate Director, Administration.

6. The Delegation of Authority, dated July 1, 1958 (23 F. R, 5050) is hereby rescinded.

This delegation shall be effective as of July 1, 1958 and shall expire December 31, 1959.

Dated: July 30, 1958.

LEO A. HOEGH, Director.

[F. R. Doc. 58-7090; Filed, Sept. 3, 1958; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24FW-1143]

MISSILE OIL CORP.

ORDER WITHDRAWING REQUEST FOR HEARING
AND CANCELLING HEARING

AUGUST 28, 1958.

The Commission by order dated August 12, 1958, having ordered that a hearing in the above-entitled matter, pursuant to section 3 (b) of the Securities Act of 1933, as amended, and Rule 261 thereunder, commence on September 4, 1958, at 10:00 a.m., at the San Francisco Regional Office of the Commission, Pacific Building, 821 Market Street, San Francisco 3, California, and

-The Company having requested a withdrawal of its request for a hearing and the Division of Corporation Finance not objecting thereto;

It is ordered, That the request for hearing be and it hereby is deemed with-drawn.

It is further ordered, That the order dated August 12, 1958, scheduling a hearing for September 4, 1958, be and it hereby is rescinded.

Pursuant to the provisions of Rule 261 (b) of Regulation A, the suspension of the Regulation A exemption from registration under the Securities Act of 1933, as amended, with respect to the

proposed public offering of securities by the Company becomes permanent.

By the Commission.

- [SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 58-7115; Filed, Sept. 3, 1958; 8:49 a. m.]

[File No. 24FW-1084]
MASTEX OIL CORP.

ORDER TEMPORARILY SUSPENDING EXEMP-TION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

AUGUST 28, 1958.

I. Mastex Oil Corp. ("Mastex"), a Massachusetts corporation, 473 Dwight Street, Holyoke, Massachusetts, filed with the Commission on March 1, 1957, a notification on Form 1-A and an offering circular relating to an offering of 9,500 shares of its no par value common capital stock at \$15.00 per share for an aggregate of \$142,500.00, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

II. The Commission has reasonable cause to believe that no exemption is available under Regulation A for the securities purported to be offered thereunder by Mastex in that John J. Broderick, president, director and promoter of Mastex was permanently enjoined on June 24, 1958, by the Supreme Court, New York County, from engaging in securities transactions within the State of New York.

III. It is ordered, pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given to Mastex Oil Corp. and to any persons having any interest in the matter that this order has been entered, that the Commission upon receipt of a written request within thirty days after entry of this order will, within twenty days after the receipt of such request, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether to vacate the order or to enter an order permanently suspending the exemption without prejudice, however, to the consideration and presentation of additional matters at the hearing, that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission, and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 58-7116; Filed, Sept. 3, 1958; 8:49 a. m.]

[File No. 70-3719]

COLUMBIA GULF TRANSMISSION CO. AND COLUMBIA GAS SYSTEM, INC.

NOTICE OF FILING AND ORDER FOR HEARING WITH RESPECT TO ACQUISITION OF PIPE-LINE FACILITIES AND RELATED TRANSAC-TIONS

AUGUST 26, 1958.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and Columbia Gulf Transmission Company ("Pipeline"), a newly organized Delaware Corporation with an authorized capital stock of 6,000,000 shares of common stock, par value \$25 per share, none of which has yet been issued, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 (a), 7, 9 (a), 10, 12 (d), 12 (f), and 12 (g) thereof, and Rules 43 and 50 thereunder as applicable to the proposed transactions, by which Pipeline will acquire the facilities of Gulf Interstate Gas Company ("Gulf Interstate"), until recently a non-affiliate natural gas pipeline company.

The Columbia holding company system consists of Columbia, 14 operating subsidiaries, and a subsidiary service company. The operating subsidiaries are engaged in the production, purchase, storage, transmission and distribution of natural gas. Certain subsidiaries also produce and sell gasoline and other hydrocarbons, and one subsidiary produces and sells oil. Natural gas is distributed at retail by the system in the States of Ohio, Pennsylvania, West Virginia, Kentucky, New York, Maryland, and Virginia. In addition, the system sells natural gas for resale to associate and non-associate public-utility companies, to a non-affiliate pipeline company, and to municipalities. The consolidated net plant of the system at April 30, 1958, was approximately \$718,000,000, and the consolidated gross operating revenues for the twelve months ended April 30, 1958, were approximately \$405,000,000.

United Fuel Gas Company ("United Fuel"), one of Columbia's subsidiaries, is the principal supplier of gas for the system. Within recent years United Fuel has had to obtain an increasing part of its gas supply from southern Louisiana and the southwest. In 1952 it entered into a 20-year contract with Gulf Interstate whereby the latter built and now operates a pipeline which transports the natural gas purchased by United Fuel in Louisiana to a point in West Virginia near the Kentucky line where the gas is redelivered to United Fuel for storage and distribution throughout Columbia's gas service area.

The Gulf Interstate pipeline, completed in 1954, consists of a main line 30 inches in diameter and 845 miles long, with about 389 miles of gathering lines. As of April 30, 1958, Gulf Interstate had net gas plant of about \$151,000,000 and it is expected that this figure will be increased by about \$50,000,000 during the current year. It now has outstanding \$83,000,000 principal amount of first mortgage bonds, which amount may be increased to \$143,300,000 by December

1958; \$13,792,100 aggregate par value of 6 percent cumulative preferred stock; \$17,300,000 par value of 534 percent cumulative preferred stock; and 3,880,—100 shares of common stock, including 200 treasury shares and 34,965 shares reserved under employees' options, with an aggregate par value of \$19,400,500. Columbia now holds the \$17,300,000 par value of 534 percent cumulative preferred stock, and 225,000 shares of the common stock, of Gulf Interstate.

In connection with the proposed transactions, Gulf Interstate will issue and sell to one or more underwriters \$14,000,-000 aggregate par value of a new series of preferred stock and will use the proceeds from such sale to redeem its presently outstanding 6 percent cumulative preferred stock, having an aggregate par value of \$13,792,100 and a redemption price of \$14,204,740. Such underwriters have agreed that, upon the liquidation of Gulf Interstate, they will accept the par amount of such new preferred stock as the liquidation value thereof, payment to be made by the delivery of such number of shares of common stock of Columbia as will have a fair market value, as of the date of closing, equal to \$14,000,000.

Pipeline proposes to acquire substantially all of the properties and assets of Gulf Interstate in exchange for (a) the delivery by Pipeline to Gulf Interstate of an estimated 4,818,717 shares of Columbia's common stock, and (b) the assumption by Pipeline of substantially all of Gulf Interstate's liabilities, estimated at \$151,740,000. The shares of Columbia's common stock required by Pipeline for delivery to Gulf Interstate will be obtained by Pipeline by the issue and sale by it to Columbia of an estimated 2,271,605 shares of Pipeline's common stock having an aggregate par value of \$56,790,120.

The estimated 4,818,717 shares of Columbia's common stock to be delivered by Pipeline to Gulf Interstate will be used by the latter company as follows:
(1) 3,079,829 shares will be exchanged for its own 3,880,100 common shares, or on the basis of 0.79375 of a Columbia share for each Gulf Interstate common share; and (2) 1,738,888 shares (estimated) will be exchanged for its own preferred stock, having an aggregate par value of \$31,300,000, of which \$17,300,000 is owned by Columbia and \$14,000,000 will be owned by underwriters.

Upon the transfer to Pipeline of substantially all of the Gulf-Interstate properties and assets in consideration of the assumption by Pipeline of Gulf Interstate's liabilities and the delivery to Gulf Interstate of the Columbia common stock, Gulf Interstate will liquidate and dissolve.

The total number of Columbia's common shares to be issued to Gulf Interstate in carrying out the above proposed transactions is, as indicated, estimated to be 4,818,717. Such estimate assumes that the "fair market value" of such stock on the closing date will be \$18 per share. Of this number, 1,139,705 shares will be returned to Columbia in exchange for the common and preferred shares of Gulf, Interstate

which Columbia now holds, and 3,679,012 shares will be distributed to others. At the estimated fair market value of \$18 per share, the shares to be distributed to others would have an aggregate value of \$66,222,216, which amount plus the \$20,000,000 already invested by Columbia in the aforesaid shares of Gulf Interstate would total \$86,222,216, or \$29,218,096 in excess of the pro forma book value of the net assets being acquired.

As an integral part of the program, Pipeline will issue and sell to Columbia, and Columbia will purchase for cash, 840,000 shares of Pipeline's common stock at its aggregate par value of \$21,-000,000. Pipeline will use this money, together with treasury cash, to retire such part of the assumed Gulf Interstate indebtedness as may be necessary to bring Pipeline's capital structure into conformity with the requirements of the Indenture covering Columbia's senior debentures.

The consummation of the foregoing proposals is subject to the following conditions, among others: (1) Receipt of the necessary orders from this Commission and from the Federal Power Commission; (2) an opinion of counsel that the transactions will be in compliance with the requirements of Gulf Interstate's mortgage; and (3) receipt of a tax ruling from the Commissioner of Internal Revenue that the proposed transactions may be carried out as a tax-free reorganization.

Columbia requests an exception from the requirements of Rule 50 with respect to the issuance and sale of its common stock.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the proposed transactions and that such joint application-declaration should not be granted or permitted to become effective except pursuant to the further order of the Commission:

It is ordered, That a hearing be held on said matter on September 23, 1958 at 10:00 a. m. at the office of the Commission, 425 Second Street, NW., Washington 25, D. C. Any person desiring to be heard in connection with this proceeding shall file with the Secretary of the Commission on or before September 19, 1958 a request relative thereto, as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That James G. Ewell or any other officer or officers of the Commission designated by it for that purpose shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the joint application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the pres-

entation of additional matters and questions upon further examination:

(1) Whether the acquisition by Pipeline of the assets of Gulf Interstate, and the acquisition by Cclumbia of the common stock proposed to be issued by Pipeline, are detrimental to the carrying out of the provisions of Section 11 of the Act.

(2) Whether the consideration to be paid by Pipeline for the assets of Gulf Interstate, including all fees and ex-

penses, is unreasonable.

(3) Whether the acquisition by Columbia of the common stock of Pipeline, together with the assumption by Pipeline of the liabilities of Guif Interstate, will unduly complicate the capital structure of the Columbia holding-company system or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding-company system.

(4) Whether the securities proposed to be issued by Columbia and Pipeline are reasonably adapted to the security structures of Columbia and of Pipeline, respectively, and of other companies in the same holding-company system, and whether such securities are reasonably adapted to the earning power of the declarant.

(5) Whether the assumption by Pipeline of the liabilities of Gulf Interstate constitutes an improper risk for Pipe-

(6) Whether compliance with the competive bidding requirements of Rule 50 promulgated under the Act with respect to the sale by Pipeline of the common stock of Columbia is not necessary or appropriate in the public interest or for the protection of investors or consumers to assure the maintenance of competitive conditions, the receipt of adequate consideration, or the reasonableness of any fees or commissions to be paid.

(7) Whether the proposed accounting treatment of the several transactions is appropriate and in accordance with the regulations of the Commission.

(8) Generally, whether the proposed transactions are in all respects compatible with the provisions and standards of the applicable sections of the Act and of the rules and regulations promulgated thereunder.

(9) What, if any, terms and conditions the Commission should prescribe in connection with its order or orders issued hereunder.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-7117; Filed, Sept. 3, 1953; $8:49 \ \epsilon.m.$]

[File No. 812-1169]

One William Street Fund, Inc. notice of filing of application

AUGUST 26, 1958.

Notice is hereby given that One William Street Fund, Inc. ("William Street")

a registered open-end investment company has filed an application pursuant to section 6 (e) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22 (d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of Louetta Investment Company ("Louetta").

The amended application contains the following representations:

William Street, a Maryland corporation, is an open-end investment company, whose shares are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of July 31, 1958 the net assets of William Street amounted to \$240,673,874, and there were outstanding 20,500,330 shares

Louetta, a Missouri corporation, is a personal holding company with 10 stockholders and since April 1956, has been engaged in the business of investing and reinvesting its funds. Louetta is exempt from registration under the Act by reason of the provisions of section 3 (c) (1) thereof. Pursuant to an Agreement and Plan of Reorganization ("Agreement") between William Street, Louetta and the latter's stockholders, substantially all of the cash and securities owned by Louetta, with a total value of about \$1,230,000 as of July 31, 1958, will be transferred to William Street in exchange for shares of stock of William Street. The number of shares of William Street to be delivered to Louetta will be determined by dividing the net asset value per share of William Street in effect at the close of business on the day preceding the closing date into the value of the Louetta assets to be exchanged. The shares acquired by Louetta are to be distributed immediately to its shareholders who have agreed to take such shares for investment and not for distribution to the public.

The value of the Louetta assets will be determined in substantially the same manner as used for calculating net asset value for the purpose of issuance of William Street's shares, except that if the percentage of the value of Louetta's portfolio securities representing unrealized appreciation is greater than the percentage of the value of William Street's portfolio securities representing unrealized appreciation, there will be deducted from the value of Louetta's assets 121/2 percent of the amount of such excess un-realized appreciation. This adjustment is intended to safeguard the present stockholders of William Street from bearing a greater capital gains tax on the subsequent sale by William Street of the Louetta assets than they would bear on the sale of the securities presently in its portfolio. Since the average capital gains tax rate that would have to be paid by William Street's shareholders cannot be exactly calculated, 121/2 percent was arrived at as a fair compromise between 0 and the maximum long term capital gains tax of 25 percent. This premium was deemed adequate protection to the shareholders of William Street since

immediate redemption by the Louetta stockholders is not a likely prospect, and the amounts involved are de minimis. As of July 31, 1958, net unrealized appreciation on the Louetta securities amouted to \$28,465 or 2.32 percent of the value of all securities held, as compared with net unrealized appreciation of \$2,-993,876, or 1.24 percent for William Street's portfolio. If the transaction had been consummated on August 1, 1958, Louetta would have received 108,000 shares of stock of William Street representing less than ½ of 1 percent of the total shares outstanding.

The terms of the entire transaction including the adjustment of 12½ percent were arrived at through arm's-length bargaining between the officers of William Street and Louetta. There is no affiliation or relationship of any kind between the officers and directors of William Street and the officers, directors, and stockholders of Louetta. Lehman Brothers, the investment adviser of William Street, has never acted as investment adviser to Louetta.

Section 22 (d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of William Street are to be issued to Louetta at a price other than the public offering price stated in the prospectus, which lists a sales charge of 1 percent for sales of \$500,000 or over.

Section 6 (c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 11, 1958 at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 58-7118; Filed, Sept. 3, 1958; 8:50 a. m.]

[File No. 7-1933]

GEORGIA-PACIFIC CORP.

NOTICE OF APPLICATION FOR UNLISTED TRAD-ING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

AUGUST 27, 1958.

In the matter of application by the Pacific Coast Stock Exchange for unlisted trading privileges in Georgia-Pacific Corporation, Common Stock; File No. 7–1933.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before September 12, 1958, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 58-7119; Filed, Sept. 3, 1958; 8:50 a.m.]

TARIFF COMMISSION

DRIED FIGS

REPORT TO PRESIDENT

AUGUST 29, 1958.

The United States Tariff Commission today submitted to the President its fifth periodic report on the developments in the trade in dried figs since the "escape clause" action of August 30, 1952. That action modified the concession granted in the General Agreement on Tariffs and Trade on dried figs classifiable under paragraph 740 of the Tariff Act of 1930. This report was made pursuant to paragraph 1 of Executive Order 10401 of October 14, 1952 (3 CFR, 1952 Supp., p. 105), which order prescribes procedures for the periodic review of escape-clause actions. Such review is limited to the determination of whether a concession that has been modified or withdrawn can be restored in whole or in part without causing or threatening serious injury to the domestic industry concerned.

In submitting the present report, the Commission advised the President that the conditions of competition between imported and domestic dried figs had not

so changed as to warrant the institution of a formal investigation under the provisions of paragraph 2 of Executive Order 10401. This means that, in the Commission's view, the developments in the trade in dried figs do not warrant a formal inquiry into the question of whether a reduction in the duty on such figs could be made without resulting in serious injury to the domestic industry.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Requests should be addressed to the U. S. Tariff Commission, 8th and E Streets NW., Washington 25, D, C.

[SEAL]

Donn N. Bent, Secretary.

[F. R. Doc. 58-7120; Filed, Sept. 3, 1958; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

(Notice 50)

Motor Carrier Alternate Route Deviation Notices

AUGUST 29, 1958.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Special Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all intersted persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub No. 1) (Deviation No. 1), HARPER MOTOR LINES, INC., 213 Long Ave., P. O. Box 781, Elberton, Ga., filed August 18, 1958. Attorney for said carrier, Guy H. Postell, 805 Peachtree Street Bldg., Atlanta 8, Ga. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Atlanta, Ga., and Athens, Ga., as follows: From junction U. S. Highway 78 and the Northeast Expressway at North Avenue, N. E., at Atlanta over the Northeast Expressway to junction Georgia Highway 120, thence over Georgia Highway 120 to junction U.S. Highway 29, thence over U.S. Highway 29 to junction U.S. Highway 78 at Athens and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized

to transport the same commodities between Atlanta, Ga., and Athens, Ga., over U. S. Highway 78.

No. MC 906 (Deviation No. 1), CON-SOLIDATED FORWARDING CO., INC., 1300 N. 10th Street, St. Louis, Mo., filed August 18, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Joplin, Mo., and Tulsa, Okla. as follows: from Joplin over the Will Rogers Turnpike and access routes to Tulsa and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Joplin, Mo., and Tulsa, Okla., over the following pertinent route: From Joplin over Missouri Highway 43 to the Missouri-Oklahoma State line, thence over Oklahoma Highway 10 to Miami, Okla., thence over U.S. Highway 69 to junction U.S. Highway 66, thence over U. S. Highway 66 to Tulsa, Okla.

No. MC 8999 (Deviation No. 1), ZENO FREIGHTWAYS, INC., R. D. #5, Irwin, Pa., filed August 15, 1958. Attorney for said carrier, John A. Vuono, 1211 Berger Building, Pittsburgh 19, Pa. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Akron, Ohio, and Massillon, Ohio, as follows: From Akron over U. S. Highway 21 via Barberton, Ohio to Massillon and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Akron, Ohio, and Massillon, Ohio over U. S. Highway 241. No. MC 29250 (Deviation No. 2), NEW

ENGLAND TRANSPORTATION COM-PANY, 402 Congress St., Boston, Mass., filed August 22, 1958. Attorney for said carrier, Carl A. Horne, 54 Meadow Street, New Haven, Conn. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between the eastern terminus of the Massachusetts Turnpike (Interchange No. 14) in Weston, Mass., and Inter-change No. 1 of the said Turnpike in West Stockbridge, Mass., as follows: From the eastern terminus of the Massachusetts Turnpike over the Massachusetts Turnpike and access routes to Interchange No. 1 of the said Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: Between Boston, Mass., and New York, N. Y., as follows: From Boston over Massachusetts Highway 9 to Worcester, Mass., thence over Massachusetts Highway 12 to junction U. S. Highway 20 at Auburn, Mass., thence over U. S. Highway 20 through Sturbridge and Palmer, Mass., to Springfield, Mass., thence over U.S. Highway 5 through Hartford, Conn., to New Haven, Conn., thence over U.S. Highway 1 through Milford, Conn., and Port Chester, N. Y., to New York; and between Springfield, Mass., and Lenox, Mass., as

follows: From Springfield over U. S. Highway 20 to Lenox.

No. MC 35320 (Deviation No. 1), T. I. M. E. INCORPORATED, P. O. Box 1120, Lubbock, Tex., filed August 15, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Louisville, Ky., and junction U. S. Highway 31W and the Kentucky Turnpike near Elizabethtown, Ky., as follows: From Louisville over city streets to the Kentucky Turnpike, thence over the Kentucky Turnpike to junction U.S. Highway 31W and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Louisville, Ky., and Elizabethtown, Ky., over the following pertinent route: From Louisville over U.S. Highway 42 to junction U.S. Highway 31W, thence over U.S. Highway 31W to Elizabeth-

No. MC 114529 (Deviation No. 1), TRAVELERS MOTOR FREIGHT, INC. 42 38th Street, Wheeling, W. Va., filed August 19, 1958. Carrier proposes to operate as a common carrier by motor vehicle of general commodities, with certain exceptions, over a deviation route, between Parkersburg, W. Va., and Wheeling, W. Va., as follows: From Parkersburg over West Virginia Highway 2 to Wheeling and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Parkersburg, W. Va., and Wheeling, W. Va., over the following pertinent route: From Parkersburg over U.S. Highway 50 to Belpre. Ohio, thence over Ohio Highway 7 to Bridgeport, Ohio, thence over U.S. Highway 40 to Wheeling.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Deviation No. 15), THE GREYHOUND CORPORATION (CEN-TRAL GREYHOUND LINES), 509 6th Avenue North, Minneapolis 5, Minn., filed August 26, 1958. Carrier proposes to operate as a common carrier by motor vehicle of passengers over a deviation route, between Three Rivers, Mich., and Roseland, Ind., as follows: From Three Rivers over U.S. Highway 131 to White Pigeon, Mich., thence over Michigan Highway 103 to the Michigan-Indiana State line, thence over Indiana Highway 13 to Interchange No. 8 of the Indiana East-West Toll Highway, thence over the East-West Toll Highway and access routes to Roseland and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over the following pertinent routes: From Detroit, Mich., over U. S. Highway 112 to junction Michigan Highway 205, thence over Michigan Highway 205 to Michigan-Indiana State line, thence over Indians, Highway 19 to Elkhart, Ind., thence over U.S. Highway 33 to South Bend, Ind., thence over Indiana Highway 2 to Rolling Prairie, Ind., thence over U.S. Highway 20 to Gary, Ind., and 6812 NOTICES

various routes into Chicago, III. (also via aforementioned route to Sturgis, Mich.), thence over Michigan Highway 78 to the Michigan-Indiana State line, thence over Indiana Highway 9 to the Indiana East-West Toll Road, thence over the East-West Toll Road to Chicago, Ill.; and from Detroit over U.S. Highway 12 to Jackson, Mich., thence over Michigan Highway 60 to Niles, Mich., thence over U.S. Highway 31 to Roseland, Ind., thence over the Indiana East-West Toll Highway to Chicago; and return over the same routes.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F. R. Doc. 58-7128; Filed, Sept. 3, 1958; 8:52 a. m.]

[Notice 232]

MOTOR CARRIER APPLICATIONS

AUGUST 29, 1958.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.241).

All hearings will be called at 9:30 o'clock a. m., United States standard time (or 9:30 o'clock a. m., local daylight saving time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 427 (Sub No. 4), filed August 4, 1958. Applicant: GEORGE NEDDER-SEN, doing business as NEDDERSEN TRANSIT, 5259 Morgan Avenue North, Minneapolis 12, Minn. Applicant's representative: A.R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes. transporting: Such merchandise as is dealt in by wholesale and retail grocery, fruit and bakery business houses, from Chaska, Minn., to Fargo, N. Dak., and empty containers or other such incidental facilities (not specified) used in transporting the above-specified commodities on return. Applicant is authorized to transport similar commodities, over regular routes, in Minnesota and North Dakota.

Note: Any duplication with present authority to be eliminated.

HEARING: October 10, 1958, in Room 926, Metropolitan Building, Second Avenue, South, and Third Street, Minneapolis, Minn., before Joint Board No. 24. or, if the Joint Board waives its right to participate, before Examiner Leo W. Cunningham.

No. MC 8681 (Sub No. 67), filed July 3. 1958. Applicant: WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 N. Meridian St., Indianapolis 2, Ind. Authority sought to operate as a common routes, transporting: Trucks, in secondary movements, in truckaway service (1) between points in California, Colorado, Idaho, Iowa, Nevada, Utah, Washington and Wyoming (except shipments moving from Ames, Clinton and DeWitt, Iowa to points in California, Colorado, Idaho, Washington and Wyoming); (2) from points in Wayne County, Mich., to points in California, Colorado, Idaho, Iowa, Utah, Washington and Wyoming (except from Detroit, Mich., to points in Utah and Nevada and points within 10 miles of Detroit, Mich. to points in Nevada); and rejected and/or damaged shipments of the above-described units to shipper for repairing. Applicant is authorized to conduct operations throughout the United States.

HEARING: October 15, 1958, in Room 226, Old Mint Bldg., Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 8989 (Sub No. 173), filed August 8, 1958. Applicant: HOWARD SOBER, INC., 2400 West St. Joseph St., Lansing, Mich. Applicant's attorney: Thomas A. Graham, Suite 1149, 10 S. LaSalle St., Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Motor vehicles', chassis, busses, and parts, tools, accessories thereof, in secondary movements, in truckaway service, from points in New York, New Jersey, Massachusetts, Maryland, Michigan, Illinois and Wisconsin to points in Minnesota, and damaged, rejected or returned shipments of the above-named commodities on return. Applicant is authorized to perform secondary truckaway service between points in North Dakota, South Dakota, Nebraska, Kansas, Iowa, Oklahoma, Missouri, Arkansas, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Tennessee, West Virginia, Virginia, Pennsylvania, New York, New Jersey, Rhode Island, Maryland, District of Columbia, Connecticut, Vermont, Massachusetts, New Hampshire and Texas.

HEARING: October 13, 1958, in Room 852, U.S. Custom House, 610 South Canal before Examiner Chicago, Ill.,

Michael B. Driscoll.

No. MC 17226 (Sub No. 15) (CORREC-TION), filed July 30, 1958, published issue of August 20, 1958, at page 6389. Applicant: FRUIT BELT MOTOR SERVICE, INC., 3909 West Harrison St., Chicago 24, Ill. Applicant's attorneys: Eugene L. Cohn, One North LaSalle St., Chicago 2, Ill., and Beverley S. Simms. 1624 Eye St., NW., Washington, D. C. The purpose of this notice is to correctly set forth the commodities proposed to be transported in paragraph (1). Correctly stated (1) should read: Machinery and parts, materials, and supplies, used in the manufacture, shipping or operation of refrigerators, freezers, refrigerator-freezers, ice cube makers, air conditioners, and dehumidifiers.

HEARING: Remains as assigned October 17, 1958, in Room 852, U.S. Custom House, 610 South Canal St., Chicago, Ill., before Examiner Harold P. Boss.

No. MC 35396 (Sub No. 27), filed August 20, 1958. Applicant: ARNOLD LIGON, doing business as ARNOLD

carrier, by motor vehicle, over irregular LIGON TRUCK LINE, Madisonville, Ky. Applicant's attorney: Henry McChesney, Jr., 7th Floor McClure Bldg., Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Radioactive semi-processed feed material, in granular form, in hopper-type containers and empty containers used in transporting same, between Weldon Springs, Mo., Kevil, Ky., Sargents and Fernald, Ohio, and Oak Ridge, Tenn. Applicant is authorized to conduct operations in Indiana, Kentucky, Illinois, Tennessee, Ohio, Pennsylvania, West Virginia, New York, New Jersey, Michigan, Alabama, Arkansas, Georgia, Mississippi, Louisiana, Minnesota, Connecticut, Massachusetts, Wisconsin, Iowa, Kansas, Missouri, North Carolina and Virginia.

> Note: Applicant states the authority sought should exclude the duplicating authority held by it in Certificate MC 35396 Sub 24, from Oak Ridge to Fernald.

> HEARING: September 29, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Examiner Leo W. Cunningham.

> No. MC 38588 (Sub No. 14), August 18, 1958. Applicant: ARIZONA-NEVADA EXPRESS, a Corporation, P. O. Box 4306, Phoenix, Ariz. Applicant's attorney: O. Russell Jones, P. O. Box 1437, Santa Fe, N. Mex. Authority sought to operate as a common carrier, by motor vehicle, transporting: General commodities, except those of unusual value. Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Deer Valley Park (located approximately fourteen (14) miles north of Phoenix, Ariz., near Arizona Highway 69), and points within three (3) miles thereof, as off-route points in connection with applicant's authorized regular route operations between Phoenix, Ariz., and Kingman, Ariz. Applicant is authorized to conduct regular and irregular route operations in Arizona and Nevada.

> HEARING: September 19, 1958, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or. if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

> No. MC 41406 (Sub No. 4) (REPUBLI-CATION), filed April 30, 1958. Applicant: J. ARTIM & SONS, INC., 7105 Kennedy Ave., Hammond, Ind. Applicant's attorney: David Axelrod, 39 South LaSalle St., Chicago 3, Ill. Notice of the filing of the above-numbered form BMC 78 application was originally published in the Federal Register at page 3949 under date of June 5, 1958. That notice did not correctly set forth the proposed operations. The purpose of this republication is to correctly describe the authority sought in the subject proceeding. which is as follows: (1) Fabricated structural iron or steel and contractors' machinery, tools, equipment, materials and supplies, from Chicago and points in the Chicago, Ill., Commercial Zone as defined by the Commission in 1 M. C. C. 673, to points in Illinois, Indiana, Ohio, Michigan (upper and lower peninsula), Wis

consin, Minnesota, Iowa, Missouri, and Kentucky, and (2) Contractors' machinery, tools, equipment, materials and supplies, and also damaged or rejected shipments of fabricated structural iron or steel, from points in Illinois, Indiana, Ohio, Michigan (upper and lower peninsula), Wisconsin, Minnesota, Iowa, Missouri, and Kentucky, to Chicago and points in the Chicago, Ill., Commercial Zone as defined by the Commission in 1 M. C. C. 673. Any person or persons who may have been prejudiced by failure of the first publication of the notice of filing of the subject application to correctly reflect the authority sought may file a protest in accordance with the Commission's general rules of practice. Those persons who have filed a protest to the application as originally published, or have indicated an interest in the proceeding, need not refile.

Note: Applicant's attorney advised in a letter dated August 14, 1958, that the proposed transportation of the commodities in (1) above will be conducted from the plant sites of the American Bridge Division of the United States Steel Copporation, Gary, Ind., and the Midland Structural Steel Division of the Allied Steel Corporation, Hammond, Ind., to construction sites in the above-named states, and also the commodities named in (2) above will be transported from construction sites in the above-named states to the plant sites of the above-named steel corporations.

CONTINUED HEARING: To be assigned at a time and place to be hereafter designated.

No. MC 42487 (Sub No. 371), filed July 28, 1958. Applicant: CONSOLIDATED FREIGHTWAYS, INC., 2116 N. W. Savier Street, Portland, Oreg. Applicant's attorneys: Donald A. Schafer, 1026 Public Service Bldg., Portland 4, Oreg., and Ronald E. Poelman, Consolidated Ronald E. Poelman, Consolidated Freightways, Inc., 431 Burgess Drive, Menlo Park, Calif. Authority sought to operate as a common carrier, by motor vehicle, over an alternate route, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Madison, Wis., and Wells, Nev., from Madison over U. S. Highway 151 to Cedar Rapids, Iowa, thence over U. S. Highway 30 to junction U. S. Highway 30-S at or near Little America, Wyo., thence over U. S. Highway 30-S to junction U.S. Highway 189 at or near Echo, Utah, thence over U.S. Highway 189 to junction U.S. Highway 40 (Kimball Junction), thence over U.S. Highway 40 to Wells, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Arizona, California, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming.

HEARING: October 23, 1958, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 50069 (Sub No. 203), filed August 7, 1958. Applicant: REFINERS TRANSPORT & TERMINAL CORPORA-TION, 2111 Woodward Avenue, Detroit, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid or dry commodities in bulk, in tank vehicles or other specialized vehicles (including hopper trucks), between Joliet, Ill., and points within five miles thereof, on the one hand, and, on the other, points in the United States, including all ports of entry on the International Boundary line between the United States and Canada. Applicant is authorized to conduct operations in Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Ne-braska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia and Wisconsin.

HEARING: October 8, 1958, in Room

HEARING: October 8, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 58948 (Sub No. 80), filed August 22, 1958. Applicant: UNION TRANSFER COMPANY, doing business as UNION FREIGHTWAYS, a Corporation, 720 Leavenworth St., Omaha 8, Nebr. Authority sought to operate as a common carrier, by motor vehicle, transporting: General commodities, including Class A and B explosives and commodities requiring special equipment, but excluding those of unusual value, livestock, household goods as defined by the Commission and commodities in bulk, serving intercontinental ballistics missiles testing and launching sites, access roads thereto and supply points therefor, within a 50-mile radius of Cheyenne, Wyo., as off-route points in connection with applicant's authorized regularroute operations to and from Cheyenne. Wyo. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Kansas, Colorado, Minnesota, Missouri, Nebraska, and Wyoming.

HEARING: September 26, 1958, at the New Customs House, Denver, Colo., before Joint Board No. 198, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 59310 (Sub No. 48), filed July 31, 1958. Applicant: SPROUT & DAVIS. INC., 2500 Indianapolis Blvd., Whiting, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Bldg., Indianapolis, Ind. Authority sought to operate as a common or contract carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, in tank vehicles or other specialized vehicles, including hopper trucks, between Joliet, Ill., and points within five (5) miles thereof, on the one hand, and, on the other, points in the United States, including all Ports of Entry on the boundary between the United States and Canada. Applicant is authorized to conduct operations as a contract carrier in Indiana, Illinois, Missouri, Iowa, Michigan, Wisconsin, Minnesota, Ohio, Kansas, Oklahoma, Nebraska, and Kentucky.

Note: A proceeding has been instituted under section 212(c) in No. MC 59310 (Sub No. 46), to determine whether applicant's status is that of a contract or common carrier.

HEARING: October 8, 1958, in Room 852, U. S. Custom Heuse, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 61403 (Sub No. 31), filed August 11, 1958. Applicant: ROBINSON TRANSFER MOTOR LINES, INC., Wilcox Drive, Kingsport, Tenn. Applicant's representative: S. S. Eisen, 140 Cedar Street, New York 6, N. Y. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: Acids and chemicals, in bulk, in tank and hopper-type vehicles. (1) between points in Kanawha County, W. Va.; and (2) between points in Kanawha County, W. Va. on the one hand, and, on the other, points in Georgia, Florida, and South Carolina. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennes-see, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: October 7, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lucian A. Jackson.

No. MC 64932 (Sub No. 245), filed August 6, 1958. Applicant: ROGERS CARTAGE CO., a Corporation, 1934 S. Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machine tool lubricants used in metal cutting, grinding, drawing, drilling, and broaching operations, in bulk, in tank vehicles, from North Aurora, Ill., to points in New York. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas. West Virginia, and Wisconsin.

HEARING: October 7, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 65525 (Sub No. 11), filed July 31, 1958. Applicant: WHITE BROTH-ERS TRUCKING CO., a Corporation, Wasco, Ill. Applicant's representative: George S. Mullins, 4704 W. Irving Park Road, Chicago 41, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prestressed concrete structural members, slabs and shapes, (1) from Dayton, Ohio, to points in Indiana and Kentucky; (2) from Waukesha, Wis., to points in Illinois; and (3) from Algonquin, Franklin, Hodgkins, Lemont, McCook and Plano, Ill., to points in

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Indiana and Wisconsin. Applicant is authorized to conduct operations in Illinois, Indiana, Wisconsin, Iowa, Michigan, Ohio, Kentucky, West Virginia, Pennsylvania, New York, Mississippi, Arkansas, Alabama, Florida, Georgia, Louisiana, Tennessee, Minnesota, and Missouri.

HEARING: October 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner

Michael B. Driscoll.

No. MC 87231 (Sub No. 10), filed July 16, 1958. Applicant: BAY & BAY TRANSFER CO., INC., 315 Ninth Ave. North, Minneapolis, Minn. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Bldg., Minneapolis 2, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Salt, in bulk, in tank or hopper vehicles, from Minneapolis and St. Paul, Minn., and points within ten (10) miles of each, to points in Wisconsin and Iowa. Applicant is authorized to conduct operations in Minnesota, Iowa, South Dakota, North Dakota, and Wisconsin.

HEARING: October 9, 1958, in Room 926, Metropolitan Building, Second Avenue, South, and Third Street, Minneapolis, Minn., before Joint Board No. 181, or, if the Joint Board waives its right to participate, before Examiner

Leo W. Cunningham.

No. MC 89778 (Sub No. 71), filed August 12, 1958. Applicant BAGGETT TRANSPORTATION COMPANY, a Corporation, 2 South 32d Street, Birmingham, Ala. Applicant's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D. C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Explosives and blasting supplies, from Springville, Utah, and points within fifteen miles thereof, on the one hand, and, on the other, points in Arkansas, Louisiana, Mississippi, and Nebraska. Applicant is authorized to conduct operations throughout the United States except Arizona, California, Idaho, Nevada, Oregon, and Washington.

Note: A proceeding has been instituted under section 212 (c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier, assigned Docket No. MC 89778 (Sub No. 69).

HEARING: October 9, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner James H. Gaffney.

No. MC 101458 (Sub No. 23), filed August 14, 1958. Applicant: NATIONAL CARTAGE CO., a Corporation, 2850 Sheffield Avenue, Hammond, Ind. Applicant's attorney: Ferdinand Born, 1017—19 Chamber of Commerce Bldg., Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, in tank vehicles, or other specialized vehicles (including hopper-type vehicles), between Joliet, Ill., and points within five (5) miles thereof, on the one hand, and, on the other, points in the United States, including all ports of entry on the International Boundary line between the

United States and Canada. Applicant is authorized to conduct regular and irregular operations in Illinois, Indiana, Michigan, and Wisconsin.

HEARING: October 8, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner

Michael B. Driscoll.

No. MC 109947 (Sub No. 23) filed July 30, 1958. Applicant: WARSAW TRUCK-ING CO., INC., Warsaw, Indiana. Applicant's attorney: Robert A. Sullivan, 2606 Guardian Bldg., Detroit 26, Mich. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Rough iron or machine castings, from Warsaw, Ind., to points in Wisconsin, Illinois, New York, Ohio, Pennsylvania, North Carolina and Nebraska; and rejected or damaged shipments of rough iron or machine castings, on return. Applicant is authorized to conduct similar operations in Illinois, Indiana, Ohio and Pennsylvania.

Note: Applicant states it is agreeable to eliminating any duplicating authority. A proceeding has been instituted under section 212 (c) in No. MC 109947 (Sub No. 22) to determine whether applicant's status is that of a contract or common carrier.

HEARING: October 6, 1958, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 110353 (Sub No. 8), filed August 8, 1958. Applicant: GARNET O. NEWTON, R. D. 6, York, Pa. Applicant's attorney: John M. Musselman, State Street Bldg., Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Ser—X, sericite, microcite, and by-products thereof and minerals relating thereto, from points in Adams County, Pa., to points in Delaware, New Jersey, Maryland, New York, Ohio and Pennsylvania; and empty containers used in transporting the above-described commodities, and pallets, on return.

Note: Applicant is authorized in Certificates MC 110353 Subs 5 and 6 to transport pyrophyllite, which includes the above origin and destination areas; this application is filed to request a more exacting commodity description. Applicant states that the proposed transportation under the trade name "Ser-X" is the same as for sericite et al.

HEARING: October 3, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner David Waters.

No. MC 110420 (Sub No. 194), filed August 6, 1958. Applicant: QUALITY CARRIERS, INC., Calumet Street, Burlington, Wis. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place, NW., Washington 6, D. C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Resins, in bulk, in tank vehicles, from Browntown, Wis., to points in Minnesota, Iowa, Illinois, Indiana, Ohio, Kentucky, Michigan, Il-(2) Animal fats, vegetable oils, and blends thereof, in bulk, in tank vehicles, from Waterloo, Iowa, to points in Indiana, Ohio, Kentucky, Michigan, Illinois, Texas, Oklahoma, and Wisconsin; (3) Liquid sugar, in bulk, in tank vehicles, from Chicago, Ill., to points in

Ohio: (4) Steepwater, in bulk, in tank vehicles, from Clinton, Iowa, to Chicago and Hampshire (Kane County), Ill.; (5) Salts of gluconic acid, in bulk, in tank vehicles, from Newaygo, Mich., to Kansas City, Mo.; (6) Spent brewers yeast, in bulk, in tank vehicles, from Terre Haute, and Fort Wayne, Ind., to Chicago, Ill.; (7) Tallow, in bulk, in tank vehicles, from Elburn (Kane County), Ill., to Battle Creek, Mich.; (8) Vegetable oils, animal fats, and blends thereof, in bulk, in tank vehicles, from Chicago, Ill., to Lititz, Pa., and Charlotte, N. C.; (9) Liquid cocoa and chocolate coating, in bulk, in tank vehicles, from Chicago, Ill., to Grand Rapids, Mich., and Kansas City, Mo.: (10) Tanning extract, in bulk, in tank vehicles, from Chicago, Ill., to Red Wing, Minn.; (11) Size, liquid plastic material, and synthetic resin, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Minnesota, Illinois, Indiana, Michigan, and Ohio; (12) Liquid adhesives, in bulk, in tank vehicles, from Milwaukee, Wis., to points in Kentucky, Ohio, Indiana, Minnesota, Iowa, Illinois, Missouri, Michigan, and Tennessee; (13) Tallow, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, to Buffalo, N. Y.; (14) Liquid cocoa butter, in bulk, in tank vehicles, from Milwaukee, Wis., to Chicago, Ill.; and (15) Animal fats, vegetable oils, and blends thereof, in bulk, in tank vehicle, from Cudahy, Wis., to points in Ohio and Portland, Maine. Applicant is authorized to conduct operations in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

HEARING: October 15, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 110988 (Sub No. 52), filed July 28, 1958. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's attorney: Adolph E. Solie, 715 First National Bank Bldg., Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Adhesives and glues, liquid, in bulk, in tank vehicles, from Cicero, Ill., to points in Alabama, Arkansas, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. Applicant is authorized to conduct operations in Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

HEARING: October 22, 1958, at Wisconsin Public Service Commission, Madison, Wis., before Examiner Michael B. Driscoll.

No. MC 110988 (Sub No. 53), filed August 18, 1958. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: Adolph E. Solie, 715 First National Bank Bldg., Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Phosphoric acid, in bulk, in tank vehicles, from points in Polk and Hillsborough Counties, Fla., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin. Applicant is authorized to conduct operations in Wisconsin, Illinois, Georgia, Louisiana, Missouri, Oklahoma. Texas, Nebraska, Minnesota, Iowa, Indiana, Michigan, Ohio, Kentucky, Arkansas, Kansas, and Tennessee.

HEARING: October 22, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Michael B. Driscoll.

No. MC 111472 (Sub No. 58), filed August 11, 1958. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton, Racine, Wis. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Power vehicle-unloading equipment, from Crown Point, Ind., to points in the United States except to points in Florida, Louisiana, the District of Columbia, and Texas. Applicant is authorized to conduct operations in all states in the United States except Nevada and the District of Columbia.

Note: A proceeding has been instituted under section 212 (c) in No. MC 111472 Sub-53 to determine whether applicant's status is that of a contract or common carrier.

HEARING: October 14, 1958, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 112713 (Sub No. 77), filed August 25, 1958. Applicant: YELLOW TRANSIT FREIGHT LINES, INC., 1626 Walnut Street, Kansas City, Mo. Applicant's attorney: John M. Records, same address as applicant. Authority sought to operate as a common carrier, by motor vehicle, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Forest Products Division of Olin Mathieson Chemical Corporation plant located approximately 4 miles southeast of the Junction of U.S. Highways 6 and 66 as an off-route point in connection with applicant's authorized regular route operations between Chicago, Ill., and Peoria, Ill. Applicant is authorized to conduct operations in Illinois, Kansas, Oklahoma, Missouri, Texas, Indiana, Kentucky, Michigan and Ohio.

HEARING: September 11, 1958, in Room 852, U.S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149.

No. MC 114714 (Sub No. 3), filed August 11, 1958. Applicant: C. E. LECH-LEITNER, Route 2, Siren, Wis. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular P. O. Box 2169, Birmingham, Ala. Au-

routes, transporting: Fencing (wood slat and wire combined), from Grantsburg and Rice Lake, Wis., to points in Minnesota, Iowa, Nebraska, Illinois, North Dakota and South Dakota. Applicant is authorized to conduct operations in Wisconsin, Minnesota, Iowa, Nebraska, Illinois. North Dakota and South Dakota.

HEARING: October 9, 1958, in Room 926, Metropolitan Bldg., Second Avenue, South, and Third Street, Minneapolis, Minn., before Examiner Leo W. Cunningham.

No. MC 114789 (Sub No. 1), filed July 21, 1958. Applicant: NATIONWIDE CARRIERS, INC., 2200 University Avenue, St. Paul, Minn. Applicant's attorney: Lee Loevinger, Midland Bank Bldg., Minneapolis 1, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dairy products, as described in Section B of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M. C. C. 209, dried milk products and animal and poultry feed, from points in Minnesota and Marshfield, Plymouth, Sauk City and Greenwood, Wis., to points in Texas, and empty containers or other such incidental facilities (not specified) used in transporting the above commodities on return. Applicant is authorized to transport the above commodities from points in Minnesota and Marshfield, Plymouth and Sauk City, Wis., to points in that part of Texas on and east of U.S. Highway 281.

Note: Applicant states that the purpose of this application is to seek additional authority which was excluded from the authorized destination territory in the original permit. The above requested authority will be performed under a continuing contract or contracts with Land O'Lakes Creameries, Inc.

HEARING: October 8, 1958, at Room 926, Metropolitan Bldg., Second Avenue, South, and Third Street, Minneapolis, Minn., before Examiner Leo W. Cunningham.

No. MC 115841 (Sub No. 32), filed August 14, 1958. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P. O. Box 2169, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat by-products, fresh and frozen, from Washington, D. C., to points in Alabama, Georgia, Louisiana, Mississippi, South Carolina, Tennessee, Texas, and Arkansas, and Charlotte, N. C. Applicant is authorized to conduct operations in Maine, Massachusetts, Rhode Island, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Connecticut, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, the District of Columbia, Delaware, and Arkansas.

HEARING: October 8, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Alton R. Smith.

No. MC 115841 (Sub No. 33), filed August 14, 1958. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West,

thority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from points in New Jersey, to points in Maine, New Hampshire and Vermont. Applicant is authorized to conduct operations in Maine, Massachusetts, Rhode Island, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Connecticut, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, Wisconsin, the District of Columbia, Delaware and Arkansas.

HEARING: October 9, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner John P. McCarthy.

No. MC 115841 (Sub No. 34), filed August 14, 1958, Applicant: COLONIAL REFRIGERATED TRANSPORTATION. INC., 1215 Bankhead Highway West, P. O. Box 2169, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meat, meat products, and meat by-products, and frozen foods, from points in Maryland, Delaware and New Jersey, to points in California, Oregon and Washington. Applicant is authorized to conduct operations in Maine, Massachusetts, Rhode Island, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Connecticut, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, Ohio, Pennsyl-vania, Virginia, West Virginia, Wisconsin, the District of Columbia, Delaware, and Arkansas.

HEARING: October 15, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Donald R. Sutherland.

No. MC 116487 (Sub No. 3), filed July 23, 1958. Applicant: SULLIVAN'S MOTOR DELIVERY, INC., 134 North Young Street, Milwaukee, Wis. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Fresh and frozen bakery products, in shipper-owned wire baskets and boxes and such merchandise as the shipper (Omar, Inc.) gives to its patrons as premiums, from Milwaukee, Wis., to Chicago, Ill., Omaha, Nebr., and Indianapolis, Ind.; and (2) Empty shipper-owned wire baskets and boxes and such returned or excess bakery products and premiums, from the abovespecified destination points to Mil-waukee, Wis. Applicant is authorized to conduct operations in Illinois, Iowa, and Wisconsin.

HEARING: October 20, 1958, at the Wisconsin Public Service Commission. Madison, Wis., before Examiner Michael B. Driscoll.

No. MC 116562 (Sub No. 2), filed July 24, 1958. Applicant ARTHUR W. COULTER, 2291 Crater Lake Avenue, Medford, Oreg. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, including plywood and box shooks, from points in Lane and Douglas Counties, Oreg., to points in California and Nevada.

HEARING: October 27, 1958, in Room 216, Douglas County Courthouse, Roseburg, Oreg., before Joint Board No. 151.

No. MC 116628 (Sub No. 3), filed August 14, 1958. Applicant: SUBUR, BAN TRANSFER SERVICE, INC., P. O. Box 11, 383 Washington Avenue, Belleville, N. J. Applicant's representative: Jacob Polin, 314 Old Lancaster Road, Merion, Pa. (P. O. Box 317, Bala-Cynwyd, Pa.) Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by retail department stores, between New York, N. Y., Wilmington, Del., Philadelphia and Willow Grove, Pa., East Orange, Hackensack, Haddonfield, Morristown and Paramus, N. J., and points in Maryland. Applicant indicates the above-described operations are limited to a transportation service to be performed, under a continuing contract, with Oppenheim-Collins, of New York, N. Y. Applicant is authorized to conduct operations in Delaware, New Jersey, New York and Pennsylvania.

HEARING: October 8, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Exam-

iner William J. Cave.

No. MC 117109 (Sub No. 1), filed SYKES August 7, 1958. Applicant: TRANSPORT COMPANY, a Corporation, Ironton, Mo. Applicant's attorney: David Axelrod, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, from points in Virginia and North Carolina to points in Ohio, Michigan, Indiana, Illinois, Wisconsin, Iowa, and Missouri.

HEARING: October 9, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Michael B. Driscoll.

No. MC 117136 (Sub No. 7), filed June 2, 1958. Applicant: CAVEMAN TRANS-PORT, INC., 2000 S. W. "G" Street, Grants Pass, Oreg. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, including plywood, from points in Douglas and Lane Counties. Oreg., to points in California and Nevada. Applicant is authorized to transport similar commodities in Arizona, California, Nevada, and Oregon.

HEARING: October 27, 1958, in Room 216, Douglas County Courthouse, Roseburg, Oreg., before Joint Board No. 151.

No. MC 117251 (Sub No. 1), filed May 26, 1958. Applicant: WESTERN STATES PARCEL SYSTEM, a Corporation, 332 East McDowell Road, Phoenix, Ariz. Applicant's attorney: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Packages (parcels), weighing one to fifty pounds, and not over 108 inches overall length and girth, between points in that part of Los Angeles, Calif., bounded on the north by Devonshire Street (California Highway 118), Balboa Boulevard, Foothill Boulevard (California Highway 118), Washington Street, Foothill Boulevard, and Huntington Drive (U. S. Highway 66); on the east by California Highways 39 and 35, and Norwalk Boulevard; on the south by California Highway 10 and Imperial Highway; and on the west by the Pacific Ocean (as more fully described in the application), on the one hand, and, on the other, Ajo, Ashfork, Avondale, Benson, Bisbee, Buckeye, Casa Grande, Chandler, Chandler Heights, Clarkdale, Clifton, Congress, Coolidge, Cottonwood, Douglas, El Mirage, Eloy, Flagstaff, Florence, Fort Huachuca, Gadsden, Gila Bend, Gilbert, Glendale, Globe, Goodyear, Hayden, Higley, Holbrook, Jerome, Kingman, Litchfield Park, Marinette, Mesa, Miami, Nogales, Page, Peoria, Phoenix, Prescott, Safford, Scottsdale. Seligman, Somerton, Sonora, Sunnyslope, Superior, Tempe, Tolleson, Tombstone, Tucson, Warren, Wickenberg, Willcox, Williams, Winkelman, Winslow, and Yuma, Ariz.

HEARING: October 13, 1958, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47.

No. MC 117281 (Sub No. 1), filed August 4, 1958. Applicant: ROBERT J. KLINKEL AND GROVER R. DENMAN, doing business as DENMAN AND KLIN-KEL, De Smet, S. Dak. Applicant's attorney: Ellsworth F. Wilkinson, Warren-Eggen Bldg., De Smet, S. Dak. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Cracklings (a meat and bone product derived from the rendering of dead animals), and coal, between Minneapolis, Minn.. De Smet, S. Dak.

HEARING: October 10, 1958, in Room 926, Metropolitan Bldg., Second Avenue, South, and Third Street, Minneapolis, Minn., before Joint Board No. 26, or, if the Joint Board waives its right to participate, before Examiner Leo W. Cunningham.

No. MC 117377 (Sub No. 1), filed August 11, 1958. Applicant: WILLIAM D. PERRYMAN, doing business as CAPITOL TRUCKING CONTRACTORS, 4620 Randolph Road, Rockville, Md. Applicant's attorney: P. Bateman Ennis, Shoreman Building, Washington 5, D. C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Crushed stone, from the quarry of C. J. Langenfelder & Son, Inc. located at Trivilah Road, and Piney Meeting House Road, Montgomery County, Md., to points in the District of Columbia.

HEARING: October 3, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 68.

No. MC 117539, filed July 21, 1958. Applicant: GEORGE H. SHELTON, doing business as SHELTON PRODUCE CO., 2401 Girard Avenue No., Minneapolis 11, Minn. Applicant's representative: A. R. Fowler, Agent, Associated Motor Carriers Tariff Bureau, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Bakery goods, from Carrollton, Mo., to Denver and Pueblo,

Colo., Champaign, Decatur and Milan, Ill., Davenport and Des Moines, Iowa, Hopkins and Minneapolis, Minn., Norfolk and Omaha, Nebr., Bismarck and Fargo, N. Dak., Aberdeen, S. Dak., and Green Bay and Milwaukee, Wis.

Note: Applicant states the proposed service is under a contract with Banner Cando Co., /of Carrollton, Mo. On return trips applicant states he will transport commodities covered by section 203 (b) (6) of the Interstate Commerce Act.

HEARING: October 8, 1958, in Room 926, Metropolitan Bldg., Second Avenue South, and Third Street, Minneapolis, Minn., before Examiner Leo W. Cunningham.

No. MC 117543, filed July 24, 1958. Applicant: BENDER TRUCKING CO., INC., P. O. Box 274, Schofield, Wis. Applicant's representative: Adolph E. Solie, 715 First National Bank Bldg., Madison 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Mink food (inedible packing-house by-products), from Ottumwa, Iowa and Sioux Falls, S. Dak., to points in Adams, Buffalo, Chippewa, Clark, Eau Claire, Jackson, Juneau, La Crosse, Langlade, Lincoln, Marathon, Monroe, Portage, Richland, Sauk, Taylor, Trempealeau, Vernon and Wood Counties, Wis.

HEARING: October 20, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Michael

B. Driscoll.

No. MC 117544, filed July 24, 1958. Applicant: LUMBER HAULERS, INC., 316 S. W. "K" St., Grants Pass, Oreg. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, including plywood and box shooks, from points in Lane and Douglas Counties, Oreg., to points in California and Nevada.

HEARING: October 27, 1958, in Room 216, Douglas County Courthouse, Rose-

burg, Oreg., before Joint Board No. 151. No. MC 117553, filed July 28, 1953. Applicant: WILLIAM ABRAHAM, doing business as SHEBOYGAN PRODUCE COMPANY, 1226 Jefferson Ave., Sheboygan, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Butter and cheese, from points in Wisconsin to New York, N. Y., Baltimore, Md., Washington, D. C., Boston, Mass., Providence, R. I., and Philadelphia and Pittsburgh, Pa.; and (2) Sugar, in bags, bundles, and containers, from Boston, Mass., Brooklyn, N. Y., Baltimore, Md., and Philadelphia, Pa., to points in Wisconsin and the Upper Peninsula of Michigan.

HEARING: October 21, 1958, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Michael B. Driscoll.

No. MC 117590, filed August 19, 1958. Applicant: WOOD BY-PRODUCTS, INC., 420 28th Street, North Lewiston, Idaho. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Wood chips and sawdust, from Lincoln, Wash., and Potlatch, Idaho to Lewiston, Idaho.

HEARING: October 8, 1958, at the Idaho Public Utilities Commission, State House, Boise, Idaho, before Joint Board No. 169.

APPLICATIONS IN WHICH HANDLING WITH-OUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 42065 (Sub No. 10), filed August 15, 1958. Applicant: ALEX MAN-CULICH, ANNA MANCULICH, EXECU-TRIX, doing business as SANITARY TRANSFER, 4808 Penn Avenue, Pittsburgh 24, Pa. Applicant's attorney: John A. Vuono, 1211 Berger Building, Pittsburgh 19, Pa. Authority sought to operate as a contract or common carrier, by motor vehicle, over irregular routes, transporting: Bakery products and empty containers therefor, between Pittsburgh, Pa., and Uhrichsville, Ohio. Applicant is authorized to conduct regular and irregular operations in Maryland, Ohio, Pennsylvania, and West Virginia.

Note: A proceeding has been instituted under section 212 (c) in No. MC 42065 (Sub No. 8) to determine whether applicant's status is that of a contract or common car-

No. MC 45158 (Sub No. 16), filed August 15, 1958. Applicant: KILLION MOTOR EXPRESS, INC., 1417 Magazine Street, Louisville, Ky. Applicant's attorney: Harry McChesney, Jr., 7th Floor McClure Bldg., Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between junction of U.S. Highway 27 with Tennessee Highway 63, near Helenwood, Tenn., and Caryville, Tenn.: from junction U.S. Highway 27 and Tennessee Highway 63 over nessee Highway 63 to Caryville, Tenn., and return over the same route, serving no intermediate points, and serving Caryville for purpose of joinder (with applicant's present alternate route between Stanford, Ky., and Clinton, Tenn.), only, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Kentucky, Missouri, Tennessee, Indiana and Illinois.

No. MC 66562 (Sub No. 1447), filed August 20, 1958. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney: William H. Marx, Law Department, Railway Express Agency, Incorporated, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: General commodities, including Class A and B explosives, moving in express service, between Houston, Tex., and San Antonio, Tex., from Houston over U.S. Highway 90 to Seguin, Tex., thence over Texas Highway 78 to junction Farm Road 1516, thence over Farm Road 1516 to junction U. S. Highway 90, and thence over U. S.

over the same route, serving the intermediate or off-route points of Katy, Brookshire, Columbus, Weimar, Schulenburg, Flatonia, Waelder, Luling, Seguin, and Randolph Field, Tex. Applicant indicates the proposed transportation service will be subject to the following conditions: The service to be performed will be limited to that which is auxiliary to or supplemental of express service, and the shipments transported by applicant will be limited to those moving on a through bill of lading or express receipt, covering, in addition to the motor carrier movement by applicant, an immediately prior or an immediately subsequent movement by rail or air. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 (Sub No. 1448), filed August 25, 1958. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 E. 42d Street, New York 17, N. Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities including Class A and B explosives, moving in express service, (1) between Janesville, Wis., and Monroe, Wis., from Janesville, over Wisconsin Highway 11 to Shullsburg, thence return over Wisconsin Highway 11 to junction of Wisconsin Highway 23, thence over Wisconsin Highway 23 to junction Wisconsin Highway 81, thence over Wisconsin Highway 81 to Darlington, thence return over Wisconsin Highway 81 to the junction of Wisconsin Highway 126, thence over Wisconsin Highway 126 to Belmont, thence over U.S. Highway 151 to Mineral Point, thence over Wisconsin Highway 39 to junction of Wisconsin Highway 59, thence over Wisconsin Highway 59 to Albany, thence return over Wisconsin Highway 59 to Monroe, thence over Wisconsin Highway 11 to Janesville, serving the intermediate or off-route points of Footville, Orfordville, Brodhead, Juda, Browntown, South Wayne, Gratiot, Belmont, Mineral Point, New Glarus, Monticello, Shullsburg, Darlington and Albany; (2) between Monticello, Wis., and Monroe, Wis., over Wisconsin Highway 69, serving no intermediate points, as an alternate route for operating convenience only. Applicant is authorized to conduct operations throughout the United States.

Note: Applicant states that the service to be performed will be limited to such as is auxiliary to or supplemental of rail or air express service. All shipments to be transported will be limited to those moving under Railway Express Agency tariffs on a Railway Express Agency receipt or waybill covering in addition to motor carrier movements an immediately prior or immediately subsequent movement by rail or air.

No. MC 69281 (Sub No. 36), filed ugust 21, 1958. Applicant: THE August 21, 1958. Applicant: THE DAVIDSON TRANSFER & STORAGE CO., 6301 Pulaski Highway, Baltimore, Md. Applicant's attorney: Roland Rice, Suite 618 Perpetual Bldg., 1111 E. St. NW., Washington 4, D. C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Class

Highway 90 to San Antonio, and return A and B explosives, livestock, household goods as defined by the Commission, comodities in bulk, and those requiring special equipment, over the following alternate routes for operating convenience only, serving no intermediate points: (1) Between the junction of U.S. Highways 122 and 30, north of Parkersburg, Pa., and Lancaster, Pa., over U. S. Highway 30; (2) between the junction of U.S. Highway 30 and Pennsylvania Highway 41, near Gap, Pa., and Wilmington, Del., from the junction of U.S. Highway 30 and Pennsylvania Highway 41 over Pennsylvania Highway 41 to the junction of Delaware Highway 41, thence over Delaware Highway 41 to the junction of Delaware Highway 48, thence over Delaware Highway 48 to Wilmington, and return over the same route; (3) between the junction of U.S. Highways 40 and 13 at or near State Roads, Del., and Norfolk, Va., over U.S. Highway 13 and via the Kiptopeka Ferry. Applicant is authorized to conduct operations in Maryland, New York. New Jersey, Delaware, Pennsylvania, Virginia, District of Columbia, Massachusetts, Rhode Island, Maine, Connecticut, New Hampshire, Vermont, Ohio, Illinois, Indiana, Michigan, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Kentucky and Tennessee.

No. MC 79013 (Sub No. 2), filed August 18, 1958. Applicant: WALTER BAKER, doing business as ARROW TRANSPOR-TATION CO., 200 Third Street, Brooklyn, N. Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Brick, tile and clay products, between points in Connecticut, New Jersey, New York and Pennsylvania within 100 miles of New York, N. Y. Applicant indicates the proposed service to be restricted to shipments removed from rail cars having an immediately prior movement in interstate commerce. Applicant is authorized to conduct operations in Connecticut,

New Jersey, New York and Pennsylvania.
No. MC 99230 (Sub No. 4), filed
August 1, 1958. Applicant: PIONEER
FREIGHT, INC., 1015 S. W. Second Street, Oklahoma City 4, Okla. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark, Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, including Class A and B explosives, but excepting those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, A. Between points in Oklahoma as follows: (1) "Between Oklahoma City and Chickasha by U. S. Highway 277; Between Oklahoma City and Tulsa by U.S. Highway 77, State Highway 9 and/or U. S. Highways 270 and 75: Between Norman and Stratsford by U.S. Highway 77, State Highways 59 and 18; Between Blanchard and Wetumka by State Highway 9, serving to, from and between the following cities and towns; Beggs, Blanchard, Bowden, Chickasha, Earlsboro, Hehryetta, Holdenville, Keifer, Mounds, Oklahoma City, Okmulgee, Preston,

Sapulpa, Schulter, Seminole, Shawnee, Springhill, Stratford, Tecumseh, Tulsa, Weleetka, Wetumka, Wewoka, authorizing service to, from and/or between any and all points on the above described routes with the following restrictions imposed: 1. Shipments originating in Oklahoma City shall not be transported to Henryetta nor shall shipments originating at Henryetta be transported to Oklahoma City. 2. Shipments originating in Oklahoma City shall not be transported to Okmulgee, nor shall shipments originating in Okmulgee be transported to Oklahoma City. 3. Shipments originating or interlined at Oklahoma City shall not be transported to Sapulpa nor shall shipments originating or interlined at Sapulpa be transported to Oklahoma City. 4. Shipments originating or interlined at Oklahoma City shall not be transported to Tulsa nor shall shipments originating or interlined at Tulsa be transported to Oklahoma City.' (2). "For the transportation of freight between Oklahoma City, Okla., Strat-ford, Ada, Stonewall, Tupelo, Centrahoma, Coalgate, Phillips, Lehigh, Atoka, over highways as follows: U.S. Highway 270, State Highways Nos. 18 and 19, State Highway No. 3, and U. S. Highway 75 from intersection of State Highway No. 3, serving to, from and between only the points named; between Shawnee, Oklahoma, Stratford, Ada, Stonewall, Tupelo, Centrahoma, Coalgate, Phillips, Lehigh and Atoka, over the following highways: State Highways Nos. 18 and 19, State Highway No. 3 and U.S. Highway 75 from intersection of State Highway No. 3; Fittstown, Pontotoc, Connerville, and Tishomingo over highways as follows: State Highway No. 99 and State Highway No. 3, serving to, from and between only the points named." (3) "Between Oklahoma City, Oklahoma, and McAlester, Oklahoma, via State Highway No. 3 from Oklahoma City to intersection of said State Highway No. 3 and U.S. Highway No. 270 (said intersection being located approximately 4 miles west of McLoud) thence via U.S. Highway No. 270 to McAlester, serving all points on route in either direction, conditioned, however, that on east bound movements applicant shall operate with closed doors upon leaving Oklahoma City until reaching McAlester". (4) "Between McAlester and the Oklahoma-Arkansas State line near Arkoma via Hartshorne, Wilburton, Red Oak, Wister, Poteau and Spiro, Oklahoma, over U. S. Highways 270, 59 and 271"; "to, from and between all points located on any of the following routes as a consolidated unit certificate with the specific right to transport such freight from any point on any route to any point on that or any other route; from McAlester, Oklahoma, over U. S. Highway 69 to Colbert, Oklahoma, and returning over the same route serving all intermediate points in both directions." (5) between Muskogee and Oklahoma City, via U.S. Highway 62, serving said points and all intermediate points on said route, specifically restricted against service either way from Oklahoma City to Harrah and Choctaw. B. Between Arkoma, Okla. and points in the Commercial Zone of Fort Smith, Ark.

Note: This application is filed in part to obtain a Certificate of Public Convenience and Necessity authorizing continuance of interstate operations conducted under the second proviso of section 206 (a) (1) of the Interstate Commerce Act, in lieu of intrastate certificates on file with this Commission.

No. MC 114621 (Sub No. 3), filed August 22, 1958. Applicant: CALVIN KAUFMAN, doing business as KAUF-MAN-GRAIN ELEVATOR, Cissna Park, Applicant's attorney: Thomas A. Graham, Suite 1149, 10 S. La Salle St., Chicago 3, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Cement, in bulk, form Buffington, Ind., to Cissna Park, Ill. Applicant is authorized to transport cement, in bags, from Buffington, Ind., to Cissna Park, Ill. No. MC 114917 (Sub No. 1), filed August 15, 1958. Applicant: DART TRANSPORTATION SERVICE, A Corporation, 3758 Fruitland Avenue, Maywood, Calif. Applicant's attorney: Elmer P. Bromley, 3946 Wilshire Blvd., Los Angeles 5, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by mailorder and chain retail department business houses, from points in the Los Angeles Commercial Zone and the Los Angeles Harbor Commercial Zone, as these zones are defined in Los Angeles. Calif., Commercial Zone, 3 M. C. C. 248, to Antioch, Bakersfield, Berkeley, Emeryville, Fresno, Hanford, Hayward, Marysville, Modesto, Oakland, Sacramento, San Francisco, San Mateo, Stockton, Santa Rosa, Vallejo, Visalia, Walnut Creek and Willows, Calif. Applicant is authorized to conduct operations in California. _

Note: Duplication should be eliminated.

No. MC 116628 (Sub No. 2), (CORRECTION) filed August 1, 1958, published issue August-13, 1958, at page 6223. Applicant: SUBURBAN TRANSFER SERVICE, INC., P. O. Box 11, 383 Washington Avenue, Belleville, N. J. Applicant's representative: Jacob Polin, 314 Old Lancaster Road, Merion, Pa. The previous notice incorrectly spelled Bala-Cynwyd, Pa., one of the points involved, as Bala-Cynwood, Pa. The correct spelling is Bala-Cynwyd.

No. MC 117304 (Sub No. 2), filed August 18, 1958. Applicant: DON PAF-FILE, doing business as PAFFILE TRUCK LINES, 2906 9th Ave., N., Lewiston, Idaho. Applicant's attorney: John H. Bengtson, Weisgerber Bldg., Lewiston, Idaho. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wood chips, in bulk, from Coeur d'Alene, Idaho, to Lewiston, Idaho, and empty containers or other such incidental facilities (not specified) used in transporting wood chips, on return.

MOTOR CARRIERS OF PASSENGERS

No. MC 107583 (Sub No. 9), filed August 18, 1958. Applicant: SALEM TRANSPORTATION CO., INC., doing business as ATLANTIC CITY TRIPS, 291 Broadway, Suite 504, New York 7, N. Y. Applicant's attorney: George H. Rosen, 291 Broadway, New York 7, N. Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in the same vehicle with passengers, in special operations, in non-scheduled door-to-door service, limited to the transportation of not more than seven passengers in any one vehicle. not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between Philadelphia International Airport, Philadelphia, Pa., and Lakehurst Naval Air Station, Lakehurst, N. J. Applicant is authorized to conduct operations in Delaware, Maryland, New Jersey, New York, Pennsylvania and the District of Columbia.

APPLICATIONS UNDER 212 (c) CONVERSION PROCEEDINGS

No. MC 2592 (Sub No. 2). Applicant: D. A. BROWN, doing business as BROWN MOTOR LINES AND STORAGE COMPANY, Greenville, S. C. Carrier filed an application, under section 212 (c) of the Interstate Commerce Act, for a determination of its status pertaining to contract carrier authority issued on or before August 22, 1957. On July 21, 1958, the carrier requested dismissal of the application, and an order was entered on August 5, 1958, effective September 22, 1958, dismissing the application and discontinuing the proceeding.

No. MC 52676 (Sub No. 5). Applicant: T. E. FLETCHER, doing business as FLETCHER TRUCK LINE, Hadley, Pennsylvania. Carrier filed an application on February 12, 1958, under section 212 (c) of the Interstate Commerce Act, for a determination of its status pertaining to contract carrier authority issued on or before August 22, 1957. Pursuant to order of the Commission in No. MC-FC 60821, entered January 15, 1958, and consummated February 10, 1958, the operating rights of T. E. Fletcher were transferred to Richard A. Johnson. The operations conducted pursuant to said proceeding are, and continue to be those of a contract carrier as defined in section 203 (a) (15). Inasmuch as T. E. Fletcher holds no authority from this Commission to conduct interstate motor carrier operations the order entered February 15, 1958, instituting a proceeding is hereby vacated and set aside as of September 29, 1958.

No. MC 116980, (REPUBLICATION). Applicant: F. P. NEILSON, WILLIS F. NEILSON, IVAN R. NEILSON AND LARS P. NEILSON, doing business as ARIZONA SALES COMPANY, P. O. Box 787, 116 W. 4th Avenue, Mesa, Ariz. Applicant's attorney: James F. Haythorne-white, 703 Luhrs Tower, Phoenix, Ariz. This publication covers an order of the Commission, Division 1, entered in the subject proceeding under date of August 4, 1958. The order vacates and sets aside the order entered herein April 23, 1958, which provided for the issuance, upon certain conditions, of a permit to conduct operations as a contract carrier, and finds:

That the operations to be conducted pursuant to the grant of authority herein will not conform with the definition of a contract carrier as set forth in

section 203 (a) (15) of the Interstate Commerce Act, as amended, but will be those of a common carrier by motor vehicle:

That the present and future public convenience and necessity require operation by applicants as a common car-Her by motor vehicle, in interstate or foreign commerce, of chemical fertilizers, in bulk, from Fontana, Brea, Nitroshell, Vernon, and San Diego, Calif., and points in the Los Angeles Harbor commercial zone, as defined by the Commission, to points in Maricopa, Pinal, Cochise, Yuma, Pima, and Graham Counties, Ariz., over irregular routes, subject to the restriction that transportation of liquid chemical fertilizers is not authorized; that applicants are fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act, and our rules and regulations thereunder; and that applicants are in compliance with section 215 of the Interstate Commerce

That upon full compliance by applicants with the requirements of sections 215, 217, and 221 (c) of the Interstate Commerce Act and with the rules and regulations thereunder, and upon the elapse of thirty days from the date of this publication in the Federal Register of notice of these modified findings, an appropriate certificate be issued to applicants, provided that no protests, or petitions, are received during the thirty (30) day period.

Applications for Certificates or Permits Which Are To Be Processed Concurrently With Applications Under Section 5, Governed by Special Role 1.240 to the Extent Applicable

MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Sub No. 375), filed August 20, 1958. Applicant: CONSOLIDATED FREIGHTWAYS, INC., 431 Burgess Drive, Menlo Park, Calif. Applicant's attorney: Wyman C. Knapp, 727 West Seventh Street, Los Angeles 17, Calif.

Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment other than those requiring special handling because of weight or bulk, between points in the Los Angeles Harbor Commercial Zone, as defined in Los Angeles, Calif., Commercial Zone, 3 M. C. C. 248, on the one hand, and, on the other, points within 30 miles of the intersection of First and Main Streets, Los Angeles, Calif. Between points in the Los Angeles Metropolitan area, including the area east of a line extending in a generally northwesterly and northerly direction from the intersection of Inglewood Avenue and Redondo Beach Boulevard, along the eastern and northern corporate limits of Redondo Beach, Calif. to the eastern corporate limits of Manhattan Beach, Calif.; thence along the eastern and northern corporate limits of Manhattan Beach to the Pacific Ocean; thence along

the shore line of the Pacific Ocean to the western corporate limits of Los Angeles at a point east of Topanga Canyon, and thence along the western corporate limits of Los Angeles to a point near Santa Susana Pass; south of a line extending in a generally easterly direction from a point near Santa Susana Pass along the northern corporate limits of Los Angeles to its intersection with State Highway 118, northeasterly and southeasterly along State Highway 118 to the westerly corporate limits of Pasadena, and thence along the western and northern corporate limits of Pasadena to the northeastern corner of Pasadena; west of a line extending in a generally southerly and southwesterly direction from the northeastern corner of Pasadena along the eastern and a portion of the southern corporate limits of Pasadena to the eastern corporate limits of San Marino, Calif., thence along the eastern corporate limits of San Marino to its intersection with U.S. Highway 66; thence easterly along U.S. Highway 66 to its junction with State Highway 71; thence southerly along State Highway 71 through and including the City of Pomona to its junction with U. S. Highway 60; westerly along U. S. Highway 60 to its junction with State Highway 35; southerly along State Highway 35 to Beverly Boulevard; southeasterly along Beverly Boulevard to Painter Avenue in the City of Whittier; southerly along Painter Avenue to Telegraph Road; westerly along Telegraph Road to the west bank of the San Gabriel River; southerly along the west bank of the San Gabriel River to Imperial Highway: westerly along Imperial Highway to State Highway 19; southerly along State Highway 19 to its intersection with the northern corporate limits of Long Beach, Calif.; thence north of a line extending in a generally westerly direction from said point of intersection along the northern corporate limits of Long Beach and the southern and a portion of the western corporate limits of Compton, Calif. to Olive Street; thence along Olive, Main, Walnut and 182nd Streets to the eastern corporate limits of Torrance; thence along a portion of the eastern and the northwestern corporate limits of Torrance to Redondo Beach Blvd.; and thence along Redondo Beach Boulevard to Inglewood Avenue. Between points in the San Francisco-East Bay Cartage Zone including that area embraced within the following boundaries: Beginning at the point where the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to Lake Merced Boulevard; thence southerly along said Lake Merced Blvd. and Lynnewood Drive to So. Mayfair Avenue; thence westerly along said South Mayfair Avenue to Crestwood Drive; thence southerly along Crestwood Drive to Southgate Avenue; thence westerly along Southgate Avenue to Maddux Drive; thence southerly and easterly along Maddux Drive to a point one mile west of Highway U.S. 101; thence southeasterly along an imaginary line one miles west of and paralleling Highway U. S. 101 (El Camino Real) to its intersection with the southerly boundary line of the City of San Mateo; thence northeasterly, northwesterly, northerly and easterly along said southerly boundary to Bayshore Highway (U.S. 101 Bypass); thence leaving said boundary line and continuing easterly along the projection of last said course to its intersection with Belmont (or Angelo) Creek; thence northeasterly along Belmont (or Angelo) Creek to Seal Creek; thence westerly and northerly to a point one mile south of Toll Bridge Road; thence easterly along an imaginary line one mile southerly and paralleling Toll Bridge Road and San Mateo Bridge and Mt. Eden Road to its intersection with State Sign Route 17; thence continuing easterly and northeasterly along an imaginary line one mile south and southeasterly of and paralleling Mt. Eden Road and Jackson Road to its intersection with an imaginary line one mile easterly of and paralleling State Sign Route 9; thence northerly along said imaginary line one mile easterly of and paralleling State Sign Route 9 to its intersection with "B" Street, Hayward; thence easterly and northely along "B" Street to Center Street; thence northerly along Center Street to Castro Valley Boulevard; thence westerly along Castro Valley Boulevard to Redwood Road; thence northerly along Redwood Road to William Street; thence westerly along William Street and 168th Avenue to Foothill Boulevard; northwesterly along Foothill Boulevard to the southerly boundary line of the City of Oakland; thence easterly and northerly along the Oakland Boundary line to its intersection with the Alameda-Contra County Boundary Line: thence northwesterly along last said line to its intersection with Arlington Avenue (Berkeley); thence northwesterly along Arlington Avenue to a point one mile northeasterly of San Pablo Avenue (Highway U.S. 40); thence northwesterly along an imaginary line one mile easterly of and paralleling San Pablo Avenue (Highway U.S. 40) to its intersection with County Road 20 (Contra Costa County); thence westerly along County Road 20 to Broadway Avenue (also known as Balboa Road): thence northerly along Broadway Avenue (also known as Balboa Road) to Highway U. S. 40; thence northerly along Highway U.S. 40 to Rivers Street; thence westerly along Rivers Street to 11th Street; thence northerly along 11th Street to Johns Avenue; thence westerly along Johns Avenue to Collins Avenue; thence northerly along Collins Avenue to Morton Avenue; thence westerly along Morton Avenue to the Southern Pacific Company right of way and continuing westerly along the prolongation of Morton Avenue to the shore line of San Pablo Bay; thence southerly and westerly along the shore line and waterfront of San Pablo Bay to Point San Pablo; thence southerly along an imaginary line from Point San Pablo to the San Francisco Waterfront at the foot of Market Street; thence westerly along said waterfront and shore line to the Pacific Ocean; thence southerly along the shore line of the Pacific Ocean to the point of beginning. The foregoing description includes the following points or portions thereof: Alameda, Alameda 6820 **NOTICES**

Pier, Albany, Baden, Bay Farm Island, Bayshore, Berkeley, Bernal, Brisbane, Broadway, Burlingame, Camp Knight, Castro Valley, Colma, Daly City, East Oakland, El Cerrito, Elkton, Elmhurst, Emeryville, Ferry Point, Fruitvale, Government Island, Hayward, Lawndale, Limita Park, Melrose, Millbrae, Hills Field, Mt. Eden, Oakland, Oakland Municipal Airport, Oakland Pier, Ocean View, Piedmont, Point Castro, Point Fleming, Point Isabel, Point Molate, Point Orient, Point Potrero, Point Richmond, Point San Pablo, Richmond, Russell City, San Bruno, San Francisco, San Francisco International Airport, San Leandro, San Lorenzo, San Mateo, San Pablo, South San Francisco, Stege, Tanforan, Treasure Island, Union Park, Visitacion, Westlake, Winehaven, Yerba Buena Island. Applicant is authorized to conduct operations in Arizona, California, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, Ne-braska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming.

Note: This matter is directly related to MC-F 6987, which was published in the FEDERAL REGISTER August 27, 1958. Duplication should be eliminated.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 (a) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 6988. Authority sought for purchase by J. K. WYATT, Gatesville, N. C., of the operating rights of ARM-STRONG FREIGHT LINES, INC., Sunbury, N. C. Applicants' attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington, D. C. Operating rights sought to be transferred: Hay balers, hay baler motors, fertilizer, potatoes, logs, seed, coal, lime, lumber, wood shingles, barrel staves, wooden staves, sawdust, sawmill machinery, steel stove hoops, tobacco harvesters, cotton harvesters, and materials and supplies used in the manufacture of tobacco harvesters and cotton harvesters, as a common carrier over irregular routes, from, to, or between points and areas, varying with the commodity transported, in North Carolina, Alabama, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Florida, Georgia, South Carolina, Texas, Louisiana, and the District of Columbia; agricultural machinery and implements (other than hand) and agricultural machinery and implements parts (other than hand), as described in Appendix XII to the report in Descriptions in Motor Carrier Certificommerce only, from ports of entry on the United States-Canada Boundary line at or near Niagara Falls and Buffalo, N. Y., to points in Ohio. Vendee is authorized to operate as a contract carrier in New York, Connecticut and North Carolina. Application has been filed for temporary authority under section 210a (b).

No. MC-F 6989. Authority sought for purchase by F & W EXPRESS, INC., 678 Louisiana Street, Memphis, Tenn., of a portion of the operating rights and certain property of THE INTER-CITY TRUCKING COMPANY, 132 Legion Street, Johnson City, Tenn., and for acquisition by C. N. FINLEYSON and HENRY B. WILLARD, both of Memphis, of control of such rights and property through the purchase. Applicants' attorneys: James H. Epps, Jr., Thad A. Cox Building, Johnson City, Tenn., and Ramsay Wall, First National Bank Building, Memphis, Tenn. Operating rights sought to be transferred: General commodities, with certain exceptions including commodities in bulk and excluding household goods, as a common carrier over a regular route between Memphis, Tenn., and Dyersburg, Tenn., serving all intermediate points. Vendee is authorized to operate as a common carrier in Tennessee and Mississippi. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6990. Authority sought for purchase by CLARK TANK LINES COM-PANY, 1450 North Beck Street, Salt Lake City, Utah, of a portion of the operating rights of INTERSTATE MOTOR LINES, INC., 235 West Third South, Salt Lake 1, Utah, and for acquisition by BOYCE R. CLARK, also of Salt Lake City, of control of such rights through the purchase. Applicants' attorney: Berol and Silver, 100 Bush Street, San Francisco 4, Calif. Operating rights sought to be transferred: Liquid petroleum products, in tank vehicles, as a common carrier over regular routes, between Salt Lake City, Utah, and Elko, Nev., and between Salt Lake City, Utah, and Ely, Nev., serving all intermediate and certain off-route points; petroleum products, in bulk, in tank vehicles, over an alternate route for operating convenience only between Salt Lake City, Utah, and Ely, Nev. Vendee is authorized to operate as a common carrier in Utah, Idaho and Oregon. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6991. Authority sought for purchase by POINT EXPRESS, INC., 3735-7th Avenue, Charleston, W. Va., of a portion of the operating rights of THE OVERLAND TRANSPORTATION COMPANY, 184 Massillon Road, Akron 5, Ohio, and for acquisition by PAUL F. YOUNGBLOOD, HARLEY H. HARTLEY, VITUS HARTLEY, SR., WILLIAM-P. FINNERAN, ART E. HARTLEY, VITUS HARTLEY, JR., WILLIAM H. HANKS and WILLIAM T. MALE, all of Charleston, of control of such rights through the purchase. Applicants' attorney: Francis W. McInerny, 504 Common-wealth Building, Washington 6, D. C. Operating rights sought to be trans-

cates, 61 M. C. C. 209, moving in foreign ferred: General commodities, with certain exceptions including household goods and commodities in bulk, as a common carrier over regular routes, between Chester, W. Va., and Charleston, W. Va., and between Akron, Ohio, and Charleston, W. Va., serving certain intermediate and off-route points; service at Charleston, W. Va., is restricted to traffic moving to or from Akron and Barberton, Ohio. Vendee is authorized to operate as a common carrier in West Virginia, Ohio, Kentucky, Pennsylvania, Indiana and Virginia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6992. Authority sought for purchase by KEYSTONE EXPRESS AND STORAGE COMPANY, INC., 229 West James Street, Lancaster, Pa., of the operating rights of M. F. ROCKEY TRANS-PORTATION COMPANY, 6th and P. R. R., New Cumberland, Pa., and for acquisition by GEORGE F. HOSTETTER and JOSEPH F. FRITZ, both of Lancaster, of control of such rights through the purchase. Applicants' attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. Operating rights sought to be transferred: General commodities, with certain exceptions includ-ing household goods and commodities in bulk, as a common carrier over a regular route between Harrisburg, Pa., and York Haven, Pa., serving all intermediate points and the off-route point of Marysville, Pa.; general commodities, with certain exceptions including household goods and commodities in bulk, over irregular routes, between points west of the Susquehanna River within six miles of New Cumberland, Pa., including New Cumberland, on the one hand, and, on the other, points within 15 miles of New Cumberland. Vendee is authorized to operate as a common carrier in Pennsylvania, New Jersey, Maryland, Delaware, New York, Massachusetts, Connecticut, Rhode Island, New Hampshire, Virginia, West Virginia, Ohio, Indiana, Illinois, Georgia, North Carolina, South Carolina, Michigan and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

HAROLD D. McCOY, Secretary.

[F. R. Doc. 58-7129; Filed, Sept. 3, 1958; 8:52 a. m.]

PETITION TO REDEFINE COMMERCIAL ZONE LIMITS

AUGUST 29, 1958.

The following petition relative to the limits of the zone adjacent to and commercially a part of a municipality within the meaning of section 203 (b) (8) of the Interstate Commerce Act has been received and will be processed in the manner hereinafter indicated.

In Ex Parte No. MC-37, Commercial Zones and Terminal Areas, in addition to the five petitions previously filed, notice of which was published July 16, 1958, a petition has been filed by the Monsanto Chemical Company, on July 25, 1958,

seeking redefinition of the limits of the commercial zone of New Orleans, La., in a manner to expand them. Petitioner's representative is Ford Maggard, Mon-anto Chemical Company, St. Louis, Mo.

The limits of the commercial zone of New Orleans, La., are presently defined 12 Ex Parte No. MC-37, Commercial Zones and Terminal Areas (New Orleans, La., Commercial Zone), 66 M. C. C. 709 (49 CFR 170.27).

Petitioner seeks enlargement of the specifically described zone limits in the area west of Jefferson Parish, particularly to include its plant located between Luling and Boutte, La., in St. Charles

Parish.

No oral hearing is contemplated with respect to this petition or the petitions previously filed, but an informal investigation with respect to redefinition of the zone limits as requested, and in other respects, will be conducted. Subsequent to such investigation the Commission will either (1) enter an order denying the petition or, (2) if any change is considered, a notice of proposed rule making will be published. Persons supporting or opposed to any change in the present zone limits, who desire to participate in future proceedings on this petition or be notified of any action taken thereon, should notify the Commission and the individual petitioner of their desire on or before 30 days from the date of this publication.

By the Commission.

[SEAL]

HAROLD D. McCOY, Secretary.

[F. R. Doc. 58-7130; Filed, Sept. 3, 1958; 8:53 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 29, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEBERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 34931: TOFC Service-Class rates-Between points in Missouri and points in Trunk Line Territory. Filed by Southwestern Freight Bureau, Agent, for interested rail carriers. Rates on commodities moving on class rates in trailers loaded on railroad flat cars between specified points in Maryland, New Jersey, New York, and Pennsylvania, on the one hand, and specified points in Missouri, on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 3 to Southwestern Freight tariff I. C. C. 4298 (SWFB No.

FSA No. 34932: Caustic soda from Baton Rouge and North Baton Rouge, La. Filed by O. W. South, Jr., Agent (SFA No. A3720), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads from Baton Rouge and North Baton Rouge, La., to Nashville and Old Hickory, Tenn.

No. 173----6

Grounds for relief: Market competition with Texas producing points.

Tariff: Supplement 31 to Southern Freight Association tariff I. C. C. 452.

FSA No. 34933: Caustic soda from Louisiana and Texas points. Filed by Southwestern Freight Bureau, Agent (No. B-7362), for interested rail carriers. Rates on liquid caustic soda, tank-car loads from Lake Charles and Plaquemine, La., Corpus Christi, Houston, and Velasco. Tex., to Nashville and Old Hickory, Tenn.

Grounds for relief: Market competition with Evans and Redstone Arsenal. Ala.

Tariffs: Supplement 333 to Southwestern Freight Bureau tariff I. C. C. 4087. Supplement 506 to Southwestern Freight Bureau tariff I. C. C. 4139.

FSA No. 34934: Iron and steel articles-Sand Springs, Okla., to Baton Rouge and New Orleans, La. Filed by Southwestern Freight Bureau, Agent (No. B-7374), for interested rail carriers. Rates on iron and steel articles, carloads from Sand Springs, Okla., to Baton Rouge and New Orleans, La.

Grounds for relief: Market competition with Chicago, Ill.

Tariff: Supplement 217 to Southwestern Freight Bureau tariff I. C. C. 4170.

AGGREGATE-OF-INTERMEDIATES

FSA No. 34935: Passenger fares from and to points on the N. Y., N. H. & H. Filed by The New York, New Haven and Hartford Railroad Company (No. 1), for interested rail carriers, involving fares for transportation of person between specified points in Massachusetts, on the one hand, and specified points in Rhode Island, Connecticut, and New York, on the other, also stations on carriers west and south of New York, N. Y., as described in the application.

Grounds for relief: Maintenance of through one-factor fares higher than aggregate-of-intermediate fares.

By the Commission.

HAROLD D. McCOY, Secretary.

[F. R. Doc. 58-7126; Filed, Sept. 3, 1958; 8:51 a. m.]

[Notice 21]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 29, 1958.

Synopses of orders entered pursuant to section 212 (b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17 (8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61285. By order of August 26, 1958, The Transfer Board approved the transfer to William F. Conrad, doing business as Hub City Transfer & Storage Co., 107 East Pine, Centralia, Wash., of Certificate No. MC 1798, issued June 2, 1949, to William F. Conrad and Robert W. Conrad, a partnership, doing business as Hub City Transfer & Storage Co., 107 East Pine, Centralia, Wash., authorizing the transportation of: General commodities, excluding household goods and other specified commodities, between Centralia, Wash., and Chehalis, Wash., and household goods, between points in Lewis and Thurston Counties, Wash:, on the one hand, and, on the other, points in Oregon.

No. MC-FC 61319. By order of August 25, 1958, The Transfer Board approved the transfer to W. S. Willson, C. W. Bechberger, and D. W. Frederick, a Partnership, doing business as Bell Transit Company, Pittsburgh, Pennsylvania, of Permits Nos. MC 59527, MC 59527 Sub 4, and MC 59527 Sub 5, issued July 26, 1937, March 14, 1940, and August 2, 1949, respectively, to W. S. Willson and J. H. Tietz, a partnership, doing business as Bell Transit Company, Pittsburgh, Pennsylvania, authorizing the transportation of compressed gases and chemicals in steel cylinders, empty steel cylinders, and such materials, supplies, and equipment used in the production or consumption of such gases and chemicals, between Toledo, Youngstown, and Cleveland, Ohio, Detroit and Grand Rapids, Mich., Pittsburgh, Trafford, and Verona, Pa., Newark, N. J., and Fort Wayne, Ind., on the one hand, and, on the other, points in Ohio, West Virginia, Michigan, and a specified part of Pennsylvania; between points in Mifflin Township, Allegheny County, Pa., on the one hand, and, on the other, points in Ohio, West Virginia, and Michigan, and those in Allegheny County, Pa.; and between points in a designated portion of Armstrong County, Pa., on the one hand, and, on the other, points in Ohio, West Virginia, Michigan, and a designated portion of Pennsylvania. Robert B. Mc-Kinley, 1200 Standard Life Bldg., Pittsburgh 22, Pa., for applicants.

No. MC-FC 61388. Ey order of August 25, 1958, The Transfer Board approved the transfer to Edward M. Hentz, doing business as Point Roberts Auto Freight. Bellingham, Washington, of Certificate in No. MC 110429, issued April 6, 1950, to Charles W. Lutz, doing business as Point Roberts Auto Freight, Bellingham, Washington, authorizing the transportation of: General commodities, with no exceptions, over regular routes, between Bellingham, Wash., and the boundry of the United States and Canada, and between Point Roberts, Wash., and the boundary of the United States and Canada.

Joseph O. Earp, 1912 Smith Tower, Seattle 4, Wash., for applicants.

No. MC-FC 61401. Ey order of August 25, 1958, The Transfer Board approved the transfer to Augustus P. Whelen, Glen Head, N. Y., of certificate No. MC 85081, issued June 4, 1957, to Augustus P. Whelen and Augustus P. Whelen, Jr., a partnership, doing business as A. P.

Whelen & Son, Glen Head, N. Y., authorizing the transportation of: Household goods, as defined by the Commission, between New York, N. Y., points in Nassau and Westchester Counties, N. Y., and those in Bergen, Essex, Hudson, and Union Counties, N. J., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvalia, Rhode Island, Vermont, Virginia, and the District of Columbia.

Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N. Y., for applicants.

No. MC-FC 61406. By order of August 25, 1958. The Transfer Board approved the transfer to Tony G. Uguccioni Trucking, Inc., Somerville, Massachusetts, of Permit No. MC 70054, issued June 24, 1943, to Joseph R. Nottage, Cranston, Rhode Island, authorizing the transportation of such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and equipment, materials, and supplies used in the conduct of such business, between points in Connecticut, Massachusetts, and Rhode Island, as designated. Charles J. McGovern, 742 Hospital Trust Building, 15 Westminster Street, Providence, Rhode Island, for transferor. Joseph A. Kline, 185 Devonshire Street, Boston, Massachusetts, for transferee.

No. MC-FC 61429: By order of August 26, 1958. The Transfer Board approved the transfer to Michael Srein, Philadelphia, Pa., of Certificate No. MC 13825, issued January 27, 1955, to Theodore F. Reichenbach, authorizing the transportation of household goods and new furniture, between Philadelphia, on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland. John H. Derby, 816 Commonwealth Building, 1201 Chestnut Street, Philadelphia 7, Pa., for applicants.

No. MC-FC 61456. By order of August 26, 1958, The Transfer Board approved the Transfer to Bruns Transfer & Warehouse Co., Inc., 1731 Alabama Ave., Bessemer, Alabama, of certificates in Nos. MC 40382 Sub 1, MC 40382 Sub 4, and MC 40382 Sub 5, issued December 12, 1940, October 3, 1946, and September 19, 1950, to F. W. Bruns, doing business as Bruns Transfer Co., 1800 1st Ave., North. Bessemer, Alabama, authorizing the transportation of general commodities, over a regular route, between Birmingham, Ala., and Bessemer, Ala., and cer= tain off-route points, and commodities classified as meats, meat products and meat by-products, dairy products and articles distributed by meat packinghouses, over irregular routes, from Bessemer, Ala., to points in Alabama within 50 miles of Bessemer, and empty containers

on return, and the service is limited to pick-up and delivery service in connection with Illinois Central Railroad Company, and pool car distribution.

No. MC-FC 61460. By order of August 26, 1958, The Transfer Board approved the transfer to Clyde Miller, doing business as Clyde Miller Truck Line, Danville, Illinois, of permit in No. MC 11291, issued May 24, 1954, to Western Brick Company, a Corporation, Danville, Illinois, authorizing the transportation of brick and cement building blocks, over irregular routes, from Danville, Ill., to points in Indiana. John P. Meyer, Graham, Wise and Meyer, Suite 500 First National Bank Bldg., Danville, Illinois. No. MC-FC 61470. By order of August

No. MC-FC 61470. By order of August 26, 1958, The Transfer Board approved the transfer to Meadors Freight Line, Inc., Covington, Georgia, of Certificate No. MC 60000, issued October 11, 1949, to T. Rucker Ginn, doing business as Meadors Freight Line, authorizing the transportation of general commodities, excluding household goods and other specified commodities, between Atlanta, Ga., and Covington, Ga. D. C. Hemrick, Jr., 504 Whitehead Building, Atlanta, Ga., for applicants.

[SEAL] HAROLD D. McCox, Secretary.

[F. R. Doc. 58-7127; Filed, Sept. 3, 1958; 8:52 a.m.]